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English only

**United Nations
Environment
Programme**

**Ad hoc open-ended working group on a science-policy panel
to contribute further to the sound management of
chemicals and waste and to prevent pollution**

Second session

Nairobi, 11–15 December 2023

Agenda item 4

**Preparation of proposals for the establishment of a science-policy
panel**

Institutional arrangements for the panel

Submission by contact group 2

The annex to the present submission sets out the outcome of the discussions on institutional arrangements and evaluation of the operational effectiveness and impact of the panel.

Annex

C. Institutional arrangements for the Panel

1. [The Panel is...]

I. [Plenary][Governing Body of the SPP]

2. A [Plenary][Governing Body of the Panel] is the [Panel's] decision-making body [is made of Member states [and observer states] [and Regional Economic Integration Organizations] and takes its decisions during the Plenary meeting].

2 alt [The Panel is a decision making body sitting in a Plenary session]

[Membership]

3. The [[Panel][Plenary][Governing Body] is composed of National Focal Points and Scientists of] [Plenary is open to] States Members of the United Nations [members of specialized agencies] [observer states][and Regional Economic Integration Organizations][that are members of the Panel][who may become members by expressing their intent to do so].

3 alt [[the Panel][Plenary][Governing Body] is composed of [nominated representatives of] state members of the UN [and Regional Economic Integration Organizations] [members of specialized agencies][and observer states] [who may become members by expressing their intent to do so]]

Participation of States not members of the Panel, United Nations bodies and other intergovernmental and non-governmental organizations

4. [The [Panel][Plenary] is open to participation as observers to any [Member State of the UN][State] not a member of the Panel, any United Nations entity and any other body, organization or agency, whether national or international, governmental, intergovernmental or non-governmental, indigenous peoples and local communities [qualified][with expertise] in matters covered by the Panel, and which has informed the Secretariat of the Panel of its wish to be represented at sessions of the Plenary, subject to the rules of procedure.]

4 alt [The Plenary meeting is open to participation by observers to any State not a member of the Panel, any United Nations entity, organization or agency, whether national or international, governmental, intergovernmental or non-governmental, indigenous peoples and local communities qualified in matters covered by the Panel, and which has informed the Secretariat of the Panel of its wish to be represented at sessions of the Plenary, subject to the rules of procedure].

5. [The [Panel] [Plenary] is open to participation by regional economic integration organizations as observers. The European Union is allowed enhanced participation in sessions of the Plenary, including the right to speak in turn; the right of reply; the right to introduce proposals; the right to provide views; and the ability to support the implementation of the work programme of the Panel through financial support, among other means. [These rights do not grant the ability to be elected to the Bureau of the Panel].]

Functions

6. The functions of the [Plenary][Governing Body of the Panel] include:

- (a) [Acting as the Panel's] [The] decision-making [body][for the Panel];
- (b) [Adopting the [Panel's] work programme to deliver on each of the functions of the Panel];
- (c) [Soliciting, via the Secretariat, [inputs][submissions] for work programme [development from Governments][approved by the Governing Body of the Panel], [[including through the governing bodies of] relevant multilateral agreements [,Global Framework on Chemicals], [and input on these submissions from] related United Nations bodies, and relevant stakeholders, such as other intergovernmental organizations, international and regional scientific organizations, environmental trust funds, non-governmental organizations, indigenous peoples, local communities and the private sector]]];
- (d) Responding to requests [from governments, [including those from Regional Economic Integration Organizations] and those transmitted by relevant multilateral environmental agreements,

[Global Framework on Chemicals] as determined by their respective governing bodies][put to the Panel as appropriate, including on the basis of the application of an agreed prioritization framework];

c/d alt [Responding to requests from Governments, including those conveyed to it by relevant multilateral environmental agreements as determined by their respective governing bodies;

Welcoming inputs and suggestions from, and the participation of, relevant United Nations bodies, as determined by their respective governing bodies;

Encouraging and taking into account, as appropriate, inputs and suggestions made by relevant stakeholders, such as other intergovernmental organizations, international and regional scientific organizations, environmental trust funds, non-governmental organizations, indigenous peoples and local communities and the private sector;]

d bis [Adopting the Panel's work programme to deliver on each of the functions of the Panel[, including on knowledge generation, assessments, policy support and capacity building].]

(e) Ensuring the active and efficient participation of civil society as observers in the Plenary;

(f) Electing [the Bureau [and members of permanent subsidiary bodies] in accordance with the rules of procedure] [officers of the Plenary [from among the members of the Bureau], taking due account of the principles of geographical, regional and gender balance, based on criteria, a nomination [and selection] process[es] and length of service to be set out in the rules of procedure];

(g) In accordance with the rules of procedure, establishing [committees and] subsidiary bodies as appropriate[, including through, inter alia, committees, working groups and task forces,];

(h) [For main deliverables, approving the scoping document, endorsing the selection of experts, and accepting, adopting, or approving the deliverable as appropriate];

h alt [Defining the scope of [and taking decisions on the] deliverables as agreed in the work programme [and taking decision on deliverables][and approving on all the outcomes of the Panel] as appropriate]

(i) Approving a budget and overseeing the allocation of the Trust Fund [that follows the UN voluntary indicative scale of contributions];

i alt [approving and overseeing the budget]

(j) Deciding on an evaluation process [and its terms of reference] for the periodic and independent reviewing of the Panel's efficiency, effectiveness and impact;

(k) Adopting and amending rules of procedure and financial rules and procedures [by consensus].

k bis [Setting up a transparent peer review process for the production of reports and assessments by the Panel]

II. Bureau

7. A Bureau is established [by the Governing Body of the Panel] [to provide oversight of the Panel][oversee the implementation of decisions of the Plenary] .

Membership

8. The Bureau comprises two members [nominated] from [each of the regions of the institution hosting the Secretariat][each of the 5 UN regional groups [and elected by the Governing Body, including one chair and 9 vice chairs, one of whom shall act as rapporteur, as provided for in the rules of procedure, along with the co-chairs of the subsidiary bodies]].

9. [Members of the Bureau are nominated by their regional groups and elected [by Plenary][elected during the Plenary meeting by the member states, in accordance with the rules and procedures of UNEA], keeping in mind the need for the Bureau's membership to have [sector,] geographical, regional and gender balance.^{1]}

¹ Guidelines covering the nomination process, length of service and any rotation of the Chair of the Plenary among the regions will be provided for in the rules of procedure.

10. Members of the Bureau are selected for their [subject matter][relevant scientific and technical] expertise [and demonstrated experience with relevant intergovernmental processes].

10 bis [all scientific and technical positions at all different levels should be carried out by the bureau as directed by the Governing Body to ensure relevant scientific and technical expertise and competencies to carry out their future responsibilities]

Functions

11. The functions of the Bureau include:

- (a) [Organizing and helping][Assisting] to conduct the sessions of the Plenary;
a bis [providing oversight of and guidance to the Governing Body's work during the intersessional period]
a bis alt [supporting the Governing Body, including through managing implementation of the work programme]
- (b) [Reviewing the observance of the Panel's rules and procedures;]
- (c) [Addressing requests related to the Panel's programme of work and other intersessional matters that require attention by the Panel between sessions of the Plenary;]
- (d) [Reviewing the management of resources and observance of financial rules and reporting thereon to the Plenary;]
- (e) [Reviewing progress in the implementation of decisions of the Plenary, if so directed by the Plenary;]
- (f) [Advising the Plenary on coordination between the Panel and other relevant institutions;]
- (g) [Identifying donors and developing partnership arrangements for the implementation of the Panel's activities.][Adhering to the due diligence procedures also restricting earmarking and encouraging contributions to the trust fund]
g bis [Participating in the conflict of interest committee]

III. Committees and subsidiary bodies

Interdisciplinary Expert Committee

12. An Interdisciplinary Expert Committee is established [to provide scientific advice to the Panel.]

Membership of the Interdisciplinary Expert Committee

13. The Interdisciplinary Expert Committee comprises an equal number of members from each of the [regions of the institution hosting the Secretariat][5 UN regional groups].²

14. Members of the Interdisciplinary Expert Committee are nominated by regions and elected by [the Governing Body during a] Plenary, [taking into account the need to ensure][ensuring] the committee is interdisciplinary, [by] ensuring contributions from experts with a broad range of disciplinary expertise; has inclusive participation, including by indigenous peoples; and has geographical, regional and gender balance.³

15. Interdisciplinary Expert Committee members are selected for their scientific, technical [, socioeconomic] or [policy] expertise and knowledge of the main elements of the work of the Panel.

16. [Representatives of non-governmental participants as well as the Chair of the United Nations Environment Management Group may participate as ex officio members in Interdisciplinary Expert

² The rules of procedure will specify the number from each region. The ad hoc open-ended working group may wish to consider an Interdisciplinary Expert Committee with five members from each of region.

³ Guidelines covering the nomination process, length of service, and any rotation of the Chair or Co-Chairs of the Interdisciplinary Expert Committee among the range of its members at regular intervals, will be provided for in the rules of procedure. The ad hoc open-ended working group may wish to consider an Interdisciplinary Expert Committee with staggered three-year terms, renewable once.

Committee meetings. The representatives of non-governmental participants are elected by and from non-governmental participants engaged in the work of the Panel.⁴]

17. [Members of the Bureau, representatives of other relevant science-policy interfaces [(including the Intergovernmental Panel on Climate Change and the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services)] or international organizations, and representatives of relevant multilateral [environmental] agreements may be invited to participate as observers in meetings of the Interdisciplinary Expert Committee.]

Functions of the Interdisciplinary Expert Committee

18. The functions of the Interdisciplinary Expert Committee include:

(a) Providing advice to the Plenary and the Bureau on [, and coordinating the delivery of,] scientific and technical [and capacity building] aspects of the Panel's programme of work;

a alt [[Manage][Oversee the development of] scientific and technical [aspects][outputs] of the Panel['s programme of work]]

(b) Providing advice and assistance on technical and/or scientific communication matters;

(c) Providing advice to the [Secretariat][Panel] in setting up and managing a transparent peer review process as necessary for the production of deliverables of the Panel, helping to ensure the highest levels of scientific quality, independence, integrity and credibility at all stages of [Panel] processes [of the interdisciplinary expert committee];

(d) Advising on a process, and overseeing the process, for defining the scope of reports following agreement on the work programme;

(e) [Participate on the] Selection and endorsement of experts for Panel activities as agreed in the work programme based on advice from the Secretariat; experts are selected from government and non-government nominations, taking into account the need for different disciplines and types of knowledge, gender balance and effective contribution and participation by experts from developing countries;

(f) Engaging the scientific community and other knowledge holders with the work programme [, taking into account the need for different disciplines and types of knowledge, gender balance, and effective contribution and participation by experts from developing countries];

(g) Assuring scientific and technical coordination among other bodies set up under the Panel and facilitating coordination between the Panel and related processes to build upon existing efforts.

g bis [to prepare periodic reports]

[Policy Committee

19. A Policy Committee is established to provide policy guidance to the Panel.

Membership of the Policy Committee

20. The Policy Committee comprises an equal number of members from each of the regions of the institution hosting the Secretariat.

21. Members of the Policy Committee are nominated by regions and elected by the Governing Body, taking into account the need for inclusive participation, including by indigenous peoples; and has geographical, regional and gender balance.

22. Policy Committee members are selected for their policy expertise and knowledge of the main elements of the work of the Panel.

23. The Chair of the Science Committee, and representatives of other relevant science-policy interfaces, relevant international organizations, and representatives of the Secretariat of relevant multilateral environmental agreements may be invited to participate as observers in meetings of the Policy Committee.

⁴ Guidelines covering the nomination process and length of service of these representatives will be provided for in the rules of procedure. The ad hoc open-ended working group may wish to consider electing five representatives to serve in this role, one each from health, environment, industry, trade union and public interest groups.

Functions of the Policy Committee

24. The functions of the Policy Committee include providing advice to the Governing Body on policy aspects of the Panel's programme of work, by;

- (a) Contributing to the process for prioritizing requests received from Member States [and UN observer States], including receiving submissions from Member States via the Secretariat, and identifying prioritized requests for the Governing Body to consider in developing a proposed work programme based on those submissions;
- (b) Facilitating communication between the Panel and other relevant science-policy interfaces, relevant international organizations and multilateral agreements, in order to avoid overlap and duplication of work, and promote coordination and cooperation;
- (c) Providing comments on the policy elements of the Panel's draft deliverables, as appropriate.]

Other subsidiary bodies

25. [The Governing Body of the Panel][The Plenary, including upon advice from the Bureau and Interdisciplinary Expert Committee,] may establish other subsidiary bodies under the Panel, whether to aid in delivering Panel functions or in meeting the Panel's cross-cutting needs. These other subsidiary bodies [may][should] include [, inter alia, expert groups, committees, task forces, technical support units, [conflict of interest committee,] etc.]:

- (a) [[Expert groups to deliver on the horizon scanning and assessment functions of the Panel;]
 - a bis** [A conflict of interest committee to support the implementation of a conflict of interest policy.]
 - a ter** [a Prospective error analysis committee]
 - (b) [Task forces][Subsidiary bodies] to deliver on [other][the] functions of the Panel, [such as capacity building];
 - b bis** [A committee established on capacity building [and research translation]]
 - (c) [A conflict of interest committee to support the implementation of a conflict of interest policy.]
 - c bis** [Technical support units to coordinate and support work of expert groups or task forces]]
26. [In establishing] these subsidiary bodies [may also include subsidiary bodies to deliver on the other functions of the Panel], Plenary shall ensure their composition, modalities of work and functions align with the Panel's agreed operating principles.
- 26 bis** [establishing a socioeconomic subsidiary body]
- 26 ter** [establishing a non-prescriptive policy recommendation body]

IV. Secretariat

27. The [Panel][Plenary][Governing Body] shall be supported by a Secretariat for the Panel with the following functions:

27 alt [secretariat for the Panel will support all the functions of the Panel (including Governing Body bureau and subsidiary body) with the following functions:]

- (a) Providing [support on] [scientific,] [technical, organisational, communication]and capacity building [activities][support] [as requested by the [Plenary] [Governing Body]];
- a alt** [Providing [the required] support to all functions of the Panel]
- (b) Organizing meetings and providing [support on] administrative and [scientific,] [technical], organisational and communication [activities][support for meetings], including the preparation of documents and reports to the [Plenary] [Governing Body[of the Panel]], [and for the work of the Panel's [other][subsidiary] bodies as needed];
- (c) [Assisting][Supporting] members of [the [Plenary][[Governing Body[of the Panel]], Bureau, Interdisciplinary Expert Committee and other subsidiary bodies, to undertake their respective

functions [as decided by the [Plenary]] [Governing Body], [including participation in their meetings and facilitating communication [between][with] the various stakeholders of the Panel];

(d) Facilitating communication among any other bodies that might be established by the Panel;

d bis [facilitating communication between the various stakeholder of the Panel]

(e) Disseminating the Panel's deliverables;

(f) [Assisting][Supporting] in outreach activities and in the production of relevant communication materials [including regarding the Panel deliverables];

(g) Preparing the Panel's [Governing Body] draft budget [for submission to [Plenary]] [Governing Body], managing the [financial arrangements][budget] and preparing any necessary financial reports;

(h) [Assisting][Supporting] in the mobilization of financial resources [based on the UN voluntary indicative scale of contributions];

(i) [[Assisting][Supporting] in the facilitation of monitoring and evaluation of the Panel's work;]

(j) [Proposing potential strategic partnerships to [Plenary] [Governing Body], and] [coordinating and implementing][Supporting the implementation of] any strategic partnerships as needed.

28. The Panel, at its first Plenary session, will secure secretariat services from one or more Intergovernmental Organizations, based on solicited proposals to host the Secretariat. The Secretariat will be hosted in a single location.

V. Financial Arrangements

29. A Trust Fund is established, to be hosted by an institution agreed by [Plenary][the Governing Body of the Panel at a Plenary meeting], to:

(a) be allocated by [Plenary] [the Governing Body] in an open and transparent manner;

(b) collect voluntary financing to support the work of the Panel [from a variety of sources];

(c) be governed by financial rules and procedures adopted by the [Plenary][the Governing Body of the Panel].

29 alt [A [voluntary] trust fund is established to manage the incomes and expenditures of the Panel. The trust fund is hosted by an institution agreed by Plenary. The trust fund is managed in compliance with the financial rules and regulations, and due diligence standards of the host institution.]

30. Contributions to the Trust Fund are [welcomed][invited] from Governments,[using the UN voluntary indicative scale of assessments as a guideline, and are welcomed][as well as] from United Nations bodies, [the Global Environment Facility], other intergovernmental organizations [, international financial institutions and development banks] and stakeholders such as the private sector and foundations, on the understanding that such funding [the amount of contributions from private sources must not exceed the amount of contributions from public sources in any biennium]:

30 alt [the trust fund is open to voluntary contributions from all sources, including governments, UN bodies, other IGOs and stakeholders such as the private sector and foundations]

(a) will come without conditionalities;

(b) will not orient the work of the Panel;

(c) cannot be earmarked for specific activities.

30 bis [in kind contributions from governments, Regional Economic Integration Organizations, the scientific community, other knowledge holders and stakeholders will come without conditionalities, nor orient the work or influence prioritization of the Panel and will be consistent with the functions, operational principals or institutional arrangements of the Panel]

31. Exceptions to paragraph 30 may be provided to allow additional contributions for specific activities [in line with the agreed prioritization and] approved by the [Plenary] [the Governing Body by consensus] [, preceded by a due diligence process by the secretariat and approved by the bureau].

32. The [Plenary] [the Governing Body of the Panel] regularly reviews Panel expenditures and budget proposals, and adopts budgets [for the Panel].
33. [The Bureau regularly reviews budget information prepared by the Secretariat.]
34. The Secretariat prepares the Panel's draft budget for submission to [Plenary] [the Governing Body of the Panel], managing the financial arrangements and preparing any necessary financial reports.
- 34 alt** [The Secretariat prepares the Panel's draft budget for submission to the Plenary, manages the approved budget and prepares the financial reports for the bureau and the Plenary]

VI. Strategic Partnerships

35. The [Governing Body of the Panel][Panel][Plenary] [may decide to][shall] pursue formal strategic partnerships with United Nations entities, multilateral agreements[, regional entities, funding agencies] and other [selected][relevant] stakeholders that are active and qualified in the topics covered by the Panel. [Formal strategic partnerships [support][can be a means of] [promoting synergies [and avoiding overlap] towards] [achieving the operating principle[s] [of the Panel] [that includes] "avoiding overlap and duplication of work, and promoting coordination and cooperation"] [while delivering on any of the Panel's functions].]
36. The [Secretariat][or the bureau] [subsidiary bodies under the Panel]may propose [the need for the establishment] [for consideration [and approval] of the Plenary the establishment of] [possible][specific] strategic partnerships, [with different sectors, ensuring the absence of conflict of interest] including their contribution to the work of the Panel.
- 36alt** [the [Panel][Governing Body] may mandate the Secretariat to engage potential strategic partnerships as it relates to their contribution to the identified work programme]
37. The Secretariat shall regularly [inform the Bureau] and [the Governing Body of the Panel][the Plenary] about the [formal][formation of] strategic partnerships and their contribution. Strategic partnerships are subject to periodic review.
38. [In order to encourage and facilitate formal strategic partnerships,] [the Governing Body of the Panel][Plenary] may decide to mandate [to any of [the bodies of the Panel][its sub organizations such as bureau, secretariat, and subsidiary bodies]] [to the secretariat] the development, and periodic updating, of:
- (a) guidance for entities wishing to apply to enter in a formal strategic partnership with the Panel, and
 - (b) guidelines for formalizing partnerships that [the Governing Body][the Plenary] agrees to pursue, including, as appropriate, through the preparation of memoranda of understanding [, joint project documents or work programmes]or contracts [Partnerships shall be established in line with UN and UNEP partnership policies and procurement rules].
- b bis** [a review process for the assessment of the effectiveness of strategic partnerships]
39. [[Considerations in formalizing strategic partnerships may include] [The Panel may consider the following in formalizing strategic partnerships]:
- (a) the function(s) the formal strategic partnership will support;
 - (b) alignment with the Panel's scope, objective, and operating principles;
 - (c) complementarity with the Panel's work programme;
- c bis** [opportunity to perform work programme activities more effectively, efficiently, economically and ethically]
- c ter** [experience and capacity of the potential strategic partner in fields relevant to the Panel and its willingness to collaborate in delivering the work programme]
- c quater** [achievement of a more appropriate regional or thematic balance in the delivery of the work programme]
- (d) opportunities for synergies [and for avoiding overlap][, as appropriate]].

D. Evaluation of the operational effectiveness and impact of the Panel

40. The Panel's efficiency, effectiveness and impact shall be [independently and externally reviewed and] evaluated on a periodic basis as decided by the [Plenary][Governing Body of the Panel]. [The Panel should produce a framework for the assessment to include the periodicity of the evaluation with the primary goal of mapping the output to [the main][its] functions and to assess the adherence to the core principles][, with adjustments to be made as necessary]

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[Annexes¹**Annex 1. Rules of procedure [of the Panel]²**

1. [Scope][Purposes]
2. Definitions
3. Venues, dates and notice of sessions
4. Members and observers
5. Admission of observers
6. Agenda
7. Representation, credentials and accreditation
8. Members and operation of the Bureau
9. Election of members of the Bureau
10. Nominations
11. Subsidiary bodies (members, operation, election of members, etc.)
12. Conduct of business
13. Decision-making
14. Languages
15. Modifications to the rules of procedure

Annex 2. Financial rules and procedures

1. Scope
2. Financial year and budgeting period
3. Panel Trust Fund
4. Currency
5. Budget
6. Contributions
7. Working capital reserve
8. Accounts and audit
9. General provisions

Annex 3. Process for determining the work programme, including prioritization

1. Solicitation and submission of issues for inclusion in the work programme
2. Prioritization criteria for setting the work programme
3. Process for applying the prioritization criteria
4. Process for finalizing the work programme

¹ The following “Annexes” need to be considered in terms of substance and their placement in the context of the ongoing OEWG process, including in relation to the intergovernmental meeting and potentially the Panel’s Plenary sessions.

² This table of contents is also introduced in [UNEP/SPP-CWP/OEWG.2/4](#)

Annex 4. Procedures for the preparation and clearance of Panel deliverables³

1. Definitions
2. Procedures for the preparation of Panel deliverables
 - (a) horizon scanning deliverables
 - (i) general approach
 - (ii) tasks and responsibilities of key roles
 - (iii) identification and selection of experts
 - (iv) means of ensuring robustness and credibility
 - (b) assessments
 - (i) general approach
 - (ii) tasks and responsibilities of key roles
 - (iii) identification and selection of experts
 - (iv) means of ensuring robustness and credibility
 - (c) knowledge management deliverables
 - (i) general approach
 - (ii) tasks and responsibilities of key roles
 - (iii) identification and selection of experts
 - (iv) means of ensuring robustness and credibility
 - (d) information-sharing deliverables
 - (i) general approach
 - (ii) tasks and responsibilities of key roles
 - (iii) identification and selection of experts
 - (iv) means of ensuring robustness and credibility
 - (e) capacity building deliverables
 - (i) general approach
 - (ii) tasks and responsibilities of key roles
 - (iii) identification and selection of experts
 - (iv) means of ensuring robustness and credibility
3. Procedures for the clearance⁴ of Panel deliverables
4. Error protocol
5. Procedure on the use of sources
6. Procedure on data management and use of digital tools and intelligence
7. Procedure for safeguarding commercially sensitive information

Annex 5. Conflict of interest policy

1. Purpose of the policy
2. Scope of the policy
3. Conflict of Interest (definition)]

³ Further information on procedures for the preparation and clearance of Panel deliverables is available in [UNEP/SPP-CWP/OEWG.2/6](#)

⁴ For assessments, clearance includes acceptance, adoption and approval.

Appendix A: Implementation Procedures, including Conflict of Interest Committee

Appendix B: Conflict of Interest Disclosure Form (COI Form)

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