Submission by the co-facilitators of Contact Group 3 on work-related processes and procedures of the panel

Summary of discussions held on 14 December 2023

Introduction

The Contact Group met over two sessions on 14 December 2023 to discuss the work-related processes and procedures of the panel. It discussed the following issues: the deliverables of the panel, the review and adoption of reports and assessments, the identification and engagement of experts and procedures for developing the work programme, including prioritization. The Contact Group conducted an initial exchange of views on these topics, including with respect to the intersessional work in the lead up to the next session of the OEWG, noting the request expressed under Contact Group 2 on institutional arrangements for the Secretariat to develop draft text on Annexes 1 to 4 of document INF10.

In the first session, the Contact Group held an initial exchange of views on the work-related processes and procedures as outlined in document INF10, Annexes 3 and 4, and the Procedure for Receiving and Prioritizing Requests put to the panel, considering document INF10 Add 2. The Secretariat of the SPP OEWG was also invited to present a draft flowchart diagram illustrating the steps and process for the development of larger assessment outputs. The second session focused on identification and engagement of experts and procedures determining the work programme.

Deliverables of the panel

The Co-facilitators first provided a brief summary of the informal discussions on deliverables of the panel that had taken place in the context of Contact Group 2 on 13 December 2023. In that session, views had been expressed amongst others on the need for deliverables to be flexible, not prescriptive and determined by the panel, according to identified needs. The group heard that the deliverables may include, but not be limited to, reports, assessments, capacity building activities, and others as need be.

Process for review and adoption of deliverables

On the process for review and adoption of deliverables, the discussion revolved around Annex 4 of document INF10. There was recognition that these processes may depend on the types of deliverables being considered, and that not all steps may be relevant for all deliverables. It was highlighted that the draft flowchart on workflow produced by the Secretariat may be more appropriate for deliverables such as reports and assessments, and maybe less so for deliverables under other functions such as capacity building but illustrated well all the individual stages of the full workflow.

There were also questions about the timelines envisioned for different deliverables, especially considering the number of times the workflow would require plenary sessions in the diagram provided by the Secretariat. In concluding the workflow brief overview, the Secretariat proposed that the review process may be administered by the Secretariat under the guidance of the Interdisciplinary Expert Committee.

In further discussing review and adoption of deliverables, calls for the procedure to be transparent were heard, as well as ensuring alignment with IPBES and IPCC which may allow for joint activities across different science-policy interfaces and that both governments and scientists be involved in the initial review of deliverables. It was further emphasized that the review process needs to be kept simple, but rigorous to ensure participation, as well as credibility, while avoiding overburdening experts. The Contact Group further heard views that governments should be included in all stages of the workflow

and the need for a capacity building function to ensure uptake of outcomes of the Work Programme at all levels.

The group wished that additional flowcharts be developed for other potential deliverables reflecting the current institutional arrangements as discussed in Contact Group 2, including also an expected timeline to cover their preparation and endorsement. The need for a rolling programme of work was brought up as a means to ensure flexibility. Some noted that the endorsement of experts should not lie with the Governing Body of the Panel, who should however endorse the terms of reference. Regarding the intersessional work and preparation of the text, there was agreement that the outline under document INF10 Annex 4 and the diagram provided by the Secretariat presented a basis for further discussion.

In the initial exchange of views, the Contact Group also heard that it was important to develop paragraph 1 of annex 4 on definitions to clarify what is being discussed.

Regarding the procedures for the preparation of panel deliverables laid out in paragraph 2, the group expressed a desire to have the items listed in line with UNEA Resolution 5/8, reflecting the wording therein. It was further noted that subsections currently listed in the roman letters under 4.2 were closely interlinked with discussions in Contact Groups 1 and 2 and that a draft text produced by the Secretariat intersessionally will need to take this into account. Views were expressed that the Secretariat should ensure alignment of the procedures with the outcome of the discussions held in the other Contact Groups.

Regarding paragraph 2, there was some divergence of views as to whether the section should contain individual sets of procedures for each of the functions of the Panel or if the section should rather provide overarching procedures for all functions. Concluding the discussion, the group decided to give the Secretariat flexibility in the drafting of proposals for this section to reflect the group's desire to reflect the outcomes from other discussions held this week and reflect on available procedures from IPBES and IPCC.

On paragraph 3 on procedures for clearance of panel deliverables, it was highlighted that relevant text may be drawn from IPBES and IPCC. The Contact Group further heard calls for "Procedures for languages and translation" to ensure inclusivity and broaden engagement (as an additional item 8 under the table of content of Annex 4). Error Protocols, as well as guidance for diverging views, were also suggested, citing IPCC as a good model in this regard.

In moving forward, the Contact Group decided to give the Secretariat flexibility in the drafting of Annex 4, especially relating to the procedures under Item 2, considering the discussion and views expressed across the Contact Groups and drawing on agreed language and the experiences of IPCC and IPBES if possible. The group also heard an invitation to identify the elements that need to be put in place for the Panel to initiate its work once established as opposed to those that need to be done at a later stage.

Identification and engagement of experts

The Contact Group moved on to discuss the identification and engagement of experts to be involved in the work of the panel. The Contact Group heard that the expertise needed would depend on the deliverables determined by the programmes of work. There was divergence on the extent to which experts may be defined by stakeholders or non-governmental organizations, or whether nominations should be limited to governmental members of the Panel. A representative of the Secretariat of the Basel, Rotterdam and Stockholm conventions elaborated on the procedure for identification of experts under the POP-RC as an example of how such processes work.

On the types of expertise required, there was consensus on the need for interdisciplinary expertise across the sciences. The need to include as well Indigenous and traditional knowledge was also raised. An observer further highlighted the need for granularity in expertise across both the environmental and

health sciences, with a number of specific proposals of types of expertise required. It was further raised that the Panel would require expertise from academia, policy and industry, with robust and transparent Conflict of Interest procedures. It was emphasized by several member states and groups of members that there was a need for balance across regions, expertise and genders, as well as ensuring the procedure for identifying experts to be transparent and inclusive in order to ensure the credibility, relevance and legitimacy of the panel and its deliverables.

On determining the work programme

Overall, on the procedure for prioritizing requests put to the Panel, document INF10 Add 2 was considered as a starting point, though concern was expressed that the document cannot be fully elaborated until the institutional arrangements of the Panel are determined. The Contact Group further heard a call for the document to be updated to reflect discussions in the other Contact Groups this week. There was consensus in the room that the language in Paragraph 6 on the requirements for proposals to be submitted needed be simplified and more flexible, to prevent potential submissions from being lost due to limiting requirements and ensure inclusivity. One Member State recommended to use the IPBES list forum as a starting point.

There was support for the Panel to accept submissions from a broad range of entities and for the prioritization process to be transparent, e.g. by positing submissions online. In this regard, concerns were heard that requirements for application to the panel should not be too narrow or prescriptive to allow for a broad range of specialists to apply without limiting the scope.

There was a request to clarify the wording used in document INF10/add2, paragraphs 1 and 2 of section A, regarding the differentiation between the submission of "requests" by Governments and multilateral agreements related to chemicals and waste and prevention of pollution and of "Inputs and suggestions" by other types of stakeholders. The Secretariat clarified that the distinction is solely for the purpose of distinguishing between the sources of proposals, drawing on experience from IPBES. One Member State requested that prioritization should be considered an equal process from a scientific and policy perspective, and called for the next iteration to include a dual process where prioritization goes through both the IEC and a Policy committee. Scientific assessment to be set as a priority was highlighted.

Intersessional work in the lead up to OEWG3

Due to time constraints the group could not provide further views and clarification on determining the work programme of the Panel for the next session of the OEWG, but there was a desire to have text developed for that session. The Contact Group conveyed to Contact Group 4 on intersessional work the need to move forward in further developing annexes 3 and 4 in order to finalize the work of the OEWG, taking into account the discussions held in the contract groups and building upon documents INF10, INF10 add2 as well as the draft diagram prepared by the Secretariat.