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Africa Regional Meeting of the second session of the 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

Thursday, 14 September 2023

08:00 – 18:00 (EAT; GMT + 3)

In-person meeting (Nairobi)

**Draft scenario note for the second session of the 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**

**Note by the secretariat**

The annex to the present note contains a background document on the draft scenario note for the second session of the ad hoc open-ended working group for the science policy panel to contribute further to the sound management of chemicals and waste and to prevent pollution may wish to consider the information provided. The annex has not been formally edited.



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**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**  
Dead Sea, 11 – 15 December 2023\*

## **Draft scenario note for the second session of the 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**

1. The present note has been prepared by the secretariat, considering the decisions taken at the first session of the ad hoc open-ended working group (Nairobi and online, 6 October 2022 and Bangkok, 30 January – 3 February 2023) and in consultation with the Bureau members elected at those meetings. It sets out the proposed organization of work and structure and general expectations for the outcomes of the second session of the ad hoc open-ended working group on a science-policy panel in order to assist participants in their preparations.

### **I. Modalities**

2. The second session of the ad hoc open-ended working group (OEWG-2) will be held from Monday to Friday, 11 - 15 December 2023, at the King Hussein Bin Talal Convention Centre in Dead Sea.<sup>1</sup>
3. Facilities will be made available for informal consultations, technical briefings, regional and other groups preparatory meetings on Saturday 9 December and Sunday 10 December 2023 at the

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<sup>1</sup> Practical information for participants may be found in the logistics note available on the webpage of the meeting at <https://www.unep.org/events/conference/oewg-2-science-policy-panel-contribute-further-sound-management-chemicals-and>.

same venue, prior to the formal opening of the meeting. Arrangements have also been made for meetings of contact groups and informal groups as may be required. A tentative schedule with further details is available in Annex I of this present note.

4. The second session will be held as an in-person meeting and will be conducted in the six official UN languages. The plenary meetings will also be live streamed online. The exceptional in-person nature of this session is to accommodate the need to finalize the election of the remaining members of the Bureau of the ad hoc open-ended working group, potentially to be conducted through a secret ballot.

5. Future meetings of the OEWG may be held in hybrid format, subject to the decision of the OEWG-2, taking into account the availability of funding.

6. UNEA, through resolution 5/8, decided that “the ad hoc open-ended working group should include Governments and regional economic integration organizations and be open to observers from United Nations entities, relevant multilateral agreements, other international instruments and intergovernmental bodies, including those that are members of the Inter-Organization Programme for the Sound Management of Chemicals, and stakeholder representatives” (paragraph 7). It also requested the Executive Director to “cooperate closely with the secretariats of relevant multilateral environmental agreements and relevant international organizations and bodies, as appropriate” (paragraph 8). The Executive Director extended invitations to attend the second session of OEWG accordingly.

## II. Election of officers

7. At OEWG-1.1 and OEWG-1.2, the ad hoc open-ended working group elected the following officers, in accordance with rule 18 of the Rules of Procedure of UNEA.

Chair: Ms. Gudi Alkemade (Netherlands)<sup>2</sup>

Vice-Chairs: Mr. Linroy Christian (Antigua and Barbuda)

Mr. Jinhui Li (China)<sup>3</sup>

Mr. Oumar Diaouré Cisse (Mali)

Ms. Saqlain Syedah (Pakistan)

Mr. Michel Tschirren (Switzerland)

Ms. Valentina Sierra (Uruguay)

Rapporteur: Mr. Cyrus Mageria (Kenya)

8. To ensure adequate regional representation in the composition of the Bureau, while taking into account the need to ensure gender balance, the ad hoc open-ended working group will be invited to consider the election of the remaining officers, possibly through a secret ballot.

## III. Organization of work

9. The aim of the second session is to continue the work of developing the proposals for the establishment of the science-policy panel to contribute further to the sound management of chemicals and waste and to prevent pollution, as called for under UNEA resolution 5/8. In light of the discussions at the OEWG-1.1 and OEWG-1.2 and following guidance received from the Bureau of the ad hoc open-ended working group, it is proposed that discussions commence on the proposals related to scope and objective, functions and operating principles of the panel; institutional arrangements and rules of procedure for sessions of the plenary; relationship with relevant key stakeholders; and work-related processes and procedures.

10. To facilitate the discussions, the secretariat has prepared working and information documents, which the ad hoc open-ended working group may wish to use as a basis for its deliberations. The open-ended working group may also wish to consider the range of issues to be considered further when developing other elements of the panel (ref: UNEP/SPP-CWP/OEWG.1/7, para 80).

### **Skeleton outline for proposals for the establishment of a science policy panel**

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<sup>2</sup> The Chair was elected at the resumed first session in accordance with rules 56 and 57 of the rules of procedure of the United Nations Environment Assembly.

<sup>3</sup> Jinhui Li (China) was elected by means of a silence procedure, in accordance with rule 19 of the rules of procedure of the United Nations Environment Assembly, following resignation of Qadoori Jabir (Iraq).

11. The secretariat has prepared for the consideration of the ad hoc open-ended working group document UNEP/SPP-CWP/OEWG.2/2, which provides a skeleton outline for an outcome document including the proposals to be developed by the ad hoc open-ended working group for consideration at the intergovernmental meeting. The skeleton outline is based on the elements laid out in resolution 5/8 on the establishment of a science-policy panel and takes into account meeting outcomes from the OEWG-1.1 and OEWG-1.2 of the ad hoc open-ended working group. The proposed skeleton outline suggests describing the scope and function of the panel, operating principles of the panel, and institutional arrangements for the panel in the main document. The rules of procedure, financial procedures and work-related processes and policies are proposed to be included in the annexes, which would allow flexibility for future updating of these rules, procedures, processes and policies when needs arise.

12. It is envisaged that the ad hoc open-ended working group will work towards agreed text for the relevant sections of the skeleton outline.

13. The ad hoc open-ended working group may wish to agree on which parts of the proposed skeleton need to be finalized by the ad hoc open-ended working group for establishing the science-policy panel at the intergovernmental meeting, and which part(s) may be finalized by the science-policy panel itself, once established.

14. The ad hoc open ended working group furthermore may wish to consider requesting the secretariat to compile the outcomes of OEWG-2 based on the skeleton outline if agreed by OEWG-2, for it to serve as a basis for discussion at OEWG-3.

#### **Scope and objective, functions, and operating principles of a science policy panel**

15. With respect to the scope and objective, functions, and operating principles of the panel, the Secretariat has prepared for the consideration of the open-ended working group document UNEP/SPP-CWP/OEWG.2/3. This document includes a recap of outcomes on scope and objective, and functions from OEWG-1.2. Additionally, it presents the work on intersessional work undertaken by the secretariat on operating principles and suggests a framework for draft operating principles text taking into account text of resolution 5/8. The document is accompanied by information documents that serve as background documents for the deliberations. These include:

- UNEP/SPP-CWP/OEWG.2/INF/2, which serves as an executive summary and background document on operating principles adapted from the document prepared for the April 2023 following written submissions by member states and stakeholders;
- Document UNEP/SPP-CWP/OEWG.2/INF/3, which builds on Member States and stakeholders' written submissions, presenting the mapping of capacity-building activities on chemical, waste and pollution prevention related to the science-policy interface across Conventions and UN agencies, and
- Document UNEP/SPP-CWP/OEWG.2/INF/9 that compiles the written submissions by Member States and stakeholders on 'the needs and questions the panel may handle'.

16. The open-ended working group may wish to consider document UNEP/SPP-CWP/OEWG.2/3 proposed by the Secretariat on scope and objective, and functions, and the framework on operating principles of the panel, including the draft proposal on operating principles and the way forward suggested therein. The open-ended working group may also wish to consider the range of issues, which are to be considered further when developing other elements of the panel (ref: UNEP/SPP-CWP/OEWG.1/7, para 80).

#### **Institutional arrangements and rules of procedure**

17. With respect to the institutional arrangements and rules of procedure, the secretariat has prepared for the consideration of the open-ended working group document UNEP/SPP-CWP/OEWG.2/4. This document includes two main parts, one on institutional arrangement, the other on the rules of procedure for sessions of the plenary. The first part discusses existing models and implications of institutional design choices. It sets out an introduction of institutional arrangements, followed by a detailed discussion of potential structures, composition, modalities of work, and functions. The document is to be read in conjunction with UNEP/SPP-CWP/OEWG.2/INF/4, that serves as a background document which reviews and discusses in more detail the institutional arrangements of existing science policy interfaces.

18. The second part clarifies typical rules of procedures employed to reflect the relevant institutional arrangements. Document UNEP/SPP-CWP/OEWG.1/INF/7 provides an overview of existing rules and procedures of selected science-policy bodies.

19. The open-ended working group may wish to consider document UNEP/SPP-CWP/OEWG.2/4, including the way forward suggested therein and, in particular, to:

- (a) Agree on elements (decision-making body, administrative and scientific oversight bodies, other bodies, secretariat arrangements and financial arrangements) of the institutional arrangements to be addressed in the outcome document;
- (b) Discuss the financial arrangements to ensure a functioning panel;
- (c) Provide a mandate on possible intersessional work and documents to be prepared ahead of its third session;
- (d) Consider a draft structure for the rules of procedure, in light of discussions on the institutional arrangement of the panel. While the ad hoc open-ended working group may only consider the rules of procedure in greater detail at its future session, initial consideration could facilitate to mandate the development of a working document including options, providing an outline for the rules of procedures, if such work were to be agreed on.

#### **Relationship with relevant key stakeholders**

20. With respect to the relationship of the panel with relevant key stakeholders, the secretariat has prepared for the consideration of the open-ended working group document UNEP/SPP-CWP/OEWG.2/5. It has three main parts: (i) the potential roles of various stakeholders in the operationalization of the panel; (ii) stakeholder engagement approaches of existing panels; and (iii) analysis of key factors that OEWG may wish to consider. This document serves as a background document on relationships with key stakeholders and approaches and is to be read in conjunction with UNEP/SPP-CWP/OEWG.2/INF/5 which discusses in detail the relationships with key stakeholders of existing panels.

21. The open-ended working group may wish to consider document UNEP/SPP-CWP/OEWG.2/5, including the draft proposal on the relationship with relevant stakeholders and the way forward suggested therein and, in particular, to:

- (a) Agree on the description of stakeholders and their potential roles and modality of relationship (formal or informal) with the panel;
- (b) Provide guidance on possible intersessional work and documents that could be prepared ahead of its third session.

#### **Work-related processes and procedures**

22. With respect to the work-related processes and procedures of the panel, the secretariat has prepared for the consideration of the open-ended working group document UNEP/SPP-CWP/OEWG.2/6. This document has four main parts, namely: (i) process for determining the work programme of the panel, including a prioritization framework; (ii) arrangements for identifying and engaging with experts to contribute to the work of the panel; (iii) procedures for the review and adoption of reports and assessments produced by the panel, and (iv) conflict of interest. This document is to be read in conjunction with the following information documents, UNEP/SPP-CWP/OEWG.2/INF/6, UNEP/SPP-CWP/OEWG.2/INF/7, UNEP/SPP-CWP/OEWG.2/INF/8 and UNEP/SPP-CWP/OEWG.2/INF/9.

23. The open-ended working group may wish to consider document UNEP/SPP-CWP/OEWG.2/6 on the work-related processes and procedures of the panel, including the way forward suggested therein and, in particular, to:

- (a) Consider the process for determining and executing the work programme, including a prioritization framework;
- (b) Consider the procedures for the preparation of the panel's deliverables, including the criteria for the nomination and selection of the experts and the review and adoption of reports and assessments;
- (c) Consider the options for development of procedures for addressing potential conflicts of interest;
- (d) Provide a mandate for possible intersessional work and documents that could be prepared ahead of its third session.

#### **Options for the timetable and organization of work of the ad hoc open-ended working group**

24. The Secretariat has prepared for consideration of the open-ended working group document UNEP/SPP- CWP/OEWG.2/7, an update on intersessional work undertaken since the resumed first session of the ad hoc open-ended working group, budget and expenditures and the provisional workplan for the remainder of the ad hoc open-ended working group.

25. The ad hoc open-ended working group may wish to consider the overall approach to the negotiations process with respect to sequencing and proposed clustering of issues for the discussions at its subsequent sessions, the provisional timetable and programme of work proposed for the establishment of the science policy panel, as well as any supporting information to be provided and intersessional work to be undertaken.

26. The ad hoc open-ended working group may also wish to consider the funding and resource requirements needed to facilitate the fulfilment of its mandate. In doing so, it may wish to consider the current budget situation and status of extra-budgetary contributions provided by Member States to-date that are complemented by an allocation from the UNEP Environment Fund.

#### **Organization of work at the second session**

27. Depending on the progress in plenary, the open-ended working group may wish to consider the establishment of contact groups to consider the issues of operating principles and institutional arrangements and rules of procedure, relationship with relevant key stakeholders, as well as other work-related processes and procedures of the panel. It may also wish to consider establishing a contact group to discuss in greater detail the options for the timetable, budget and sequencing of its work. Should there be need for additional groups (contact groups, legal group or informal groups), these may be established on a “as needed” basis.

28. Given the anticipated limited time, the ad hoc open-ended working group may wish that any established group be provided with a clear and concise mandate, and ensure that the scheduling of group work facilitates the considerations of the ad hoc open-ended working group in an effective manner.

### **IV. Possible outcomes of the second session of the ad hoc open-ended working group**

29. In the lead-up to the second session of the ad hoc open-ended working group, participants may wish to reflect on the desired outcomes of the session. Reasonable expectations might include that the ad hoc open-ended working group will have:

- (a) Elected its remaining officers and established its full Bureau;
- (b) Agreed on the skeleton outline for the proposals for the establishment of a science policy panel to contribute further to the sound management of chemicals and waste and to prevent pollution, and recommended any further activities to be undertaken during the intersessional period including on the sequencing and clustering of issues for the conduct of its work;
- (c) Finalized considerations on the development of a proposal for the objective and the principal functions of the panel, and recommended any further activities to be undertaken during the intersessional period;
- (d) Finalized discussions on the proposal for the operating principles of the panel, and recommended any further activities to be undertaken during the intersessional period;
- (e) Agreed on the development of a proposal for the institutional arrangements, as well as rules of procedures and processes for the panel, and recommended any further activities to be undertaken during the intersessional period;
- (f) Agreed on a description of stakeholders in the context of the panel and the modalities for stakeholders to participate in the panel’s work;
- (g) Held initial considerations on work-related processes and procedures of the panel, including with regard to what can be developed by the panel itself, and recommended any further work to be undertaken, including with respect to additional information that may be needed or options to be developed by the secretariat;
- (h) Finalized the date, venue and the provisional agenda of the subsequent third session;
- (i) Confirmed any additional intersessional work to be carried out, subject to the availability of funds, during the period leading up to its third session, including on submissions by Member States and relevant stakeholders and possible regional

meetings and/or stakeholder consultations.

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Unedited Advance

Annex I: Tentative schedule for the second session based on the OEWG-2 provisional agenda as set out in document UNEP/SPP-CWP/OEWG.2/1

|                    | Saturday & Sunday<br>9 & 10 December 2023                        | Monday<br>11 December 2023                      | Tuesday<br>12 December 2023                               | Wednesday<br>13 December 2023                             | Thursday<br>14 December 2023                              | Friday<br>15 December 2023                                |
|--------------------|------------------------------------------------------------------|-------------------------------------------------|-----------------------------------------------------------|-----------------------------------------------------------|-----------------------------------------------------------|-----------------------------------------------------------|
| 8.00 – 9.00 am     | Regional and other<br>Groups meetings                            |                                                 | OEWG Bureau<br>meeting                                    | OEWG Bureau<br>meeting                                    | OEWG Bureau<br>meeting                                    | OEWG Bureau<br>meeting                                    |
| 9.00 - 10.00 am    |                                                                  | Regional and other<br>Groups meetings           | Regional and other<br>Groups meetings                     | Regional and other<br>Groups meetings                     | Regional and other<br>Groups meetings                     | Regional and other<br>Groups meetings                     |
| 10.00 am - 1.00 pm |                                                                  | Agenda Item 1<br>Agenda Item 2<br>Agenda Item 3 | Agenda Item 4<br><i>continued</i>                         | Plenary stock take<br><i>Contact groups</i>               | Plenary stock take<br><i>Contact groups</i>               | Plenary stock take<br>Agenda Item 6<br>Agenda Item 7      |
| 1.00 pm – 3.00 pm  | Lunch break                                                      | Lunch break                                     | Lunch break<br><i>Contact groups/<br/>Informal groups</i> | Lunch break<br><i>Contact groups/<br/>informal groups</i> | Lunch break<br><i>Contact groups/<br/>informal groups</i> | Lunch break<br><i>Contact groups/<br/>informal groups</i> |
| 3.00 pm - 6.00 pm  | Regional and other<br>Groups meetings<br><br>OEWG Bureau meeting | Agenda Item 5<br>Agenda Item 4                  | Agenda Item 4<br><i>Continued/<br/>Contact Groups</i>     | Contact groups                                            | <i>Contact groups</i>                                     | Agenda Item 8<br>Agenda Item 9                            |
| 6:30 pm - onwards  |                                                                  | <i>Reception (if any, to be<br/>confirmed)</i>  | <i>Contact groups/<br/>informal groups</i>                | <i>Contact groups/<br/>informal groups</i>                | <i>Contact groups/<br/>informal groups</i>                |                                                           |