

## Science-Policy Panel for Chemicals, Waste, and Pollution OEWG 1.2 Highlights: Wednesday, 1 February 2023

Discussions focused on the objective, scope, and functions of the panel in a contact group that met throughout the day. In the morning, informal consultations focused on a potential capacity-building function. In the stocktaking session, countries heard updates and established a contact group on the organization of work, which met later in the afternoon.

### Stocktaking Plenary

Plenary resumed on Wednesday afternoon to: discuss progress in the contact group on scope and functions; consider the outcome of informal consultations with the Secretariat on resource mobilization efforts, the budget, and a provisional workplan (UNEP/SPP-CWP/OEWG.1/6); and establish a contact group on timelines and a work programme for the Open-ended Working Group (OEWG).

Contact Group Co-Chair David Kapindula reported that a Co-Chairs' proposal on scope and functions, based on the views expressed and proposals tabled by some delegates, was accepted as the basis for further deliberation. He also reported some discussion on intersessional work. On panel functions, he said delegates generally supported including the functions listed in UNEA Resolution 5/8 and exchanged views on two regional groups' proposals for an additional function on capacity building. He requested time for additional discussion on: defining capacity building in the context of the panel's work; preventing duplication of other bodies' efforts; and collaborating with other stakeholders to ensure proposals do not preempt any future activities.

Chair Alkemade suggested, and delegates agreed, to establish a contact group to address the organization of work with a mandate to: develop a draft decision to guide the Secretariat in the organization of work, taking into account the outcomes of the contact group on scope and functions; agree on potential dates, locations, and format for the second and third OEWG sessions; and identify key issues to be discussed in those sessions. Chair Alkemade further requested that the contact group provide clear guidance to the Secretariat on the intersessional work, including documents and webinars. Responding to a question by Iran, she suggested avoiding a detailed discussion on the budget and instead focusing on the tasks ahead, mandating the Secretariat to amend the budget accordingly.

### Contact Groups

**Scope and Functions:** Contact group Co-Chairs David Kapindula and Marine Collignon opened the session, introducing a Co-Chairs' proposal on objective and scope. Delegates generally expressed support for the text as a basis for discussion.

Several member states suggested combining language on objective and scope.

Focusing on the objective, several member states noted the panel's objective is not to "deliver" scientific evidence but to "contribute" to it, as per UNEA Resolution 5/8. Some countries emphasized the panel's role in providing recommendations or advice and options.

Delegates agreed that part of the panel's objective is to strengthen the science-policy interface. Regarding delivering policy-relevant "scientific" evidence-based recommendations/advice and options, a delegate noted that limiting relevant forms of knowledge to scientific evidence "might be too exclusive," suggesting the inclusion of other knowledge forms that are evidence-based.

Views diverged on whether to refer to preventing or minimizing pollution. One delegate called for referring to all forms of pollution, including pollution related to chemicals and waste, and to releases to air, water, soil, and the oceans.

While many supported including human health, one delegate noted that addressing "human wellbeing" is too broad a focus. Another delegate suggested other processes and bodies might provide helpful agreed text on wellbeing. One suggested including a reference to "all life on Earth for the benefit of people." Another suggested reference to human health "and development." Following lengthy discussions, delegates agreed to deleting the reference to human wellbeing.

Several countries advocated providing output to "policymakers," or "governments at all levels." One delegate viewed this focus as too limiting, suggesting the private sector, international organizations, the larger public, and media as relevant target groups.

A number of delegates requested reference to human rights, while others cautioned against this. A proposal to highlight the potential of innovation also raised concerns, with some member states requesting further clarifications on the concept.

Discussions on the objective continued in the evening. Member states debated whether to specify "scientific information." Some parties noted that "scientific" could be too narrow and may exclude the wider evidence base, which, as one specified, could include traditional knowledge. Another delegate stated that "scientific" means that the evidence has gone through peer review and other relevant processes and suggested that this evidence should be given priority.

There was initial support for a couple of streamlined options proposed. One option was proposed by Co-Chair Collignon, which, she noted, draws from the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) objective, "to strengthen the science-policy interface to contribute to the sound management of chemicals and waste"

with further information added, along the lines of how IPBES lists its functions. Several delegates suggested that some of the elements in the current draft could be better placed as overarching principles, such as the references to health and human rights. Others insisted that the panel should provide recommendations and that this should be reflected in its objectives.

Delegates reviewed the IPBES' objective further, with delegates suggesting added elements. Discussions continued into the night.

**Organization of Work:** Co-Chairs Jinhui Li (China) and Ana Berejiani (Georgia) opened the contact group, recalling its mandate. On future OEWG sessions, Switzerland confirmed its offer to host OEWG 3 in July 2024. A few countries expressed interest in hosting OEWG 2. The Secretariat stressed the need to find a venue and suitable date for OEWG 2, noting the timelines required for the preparation of documents.

On format, several delegates reported connectivity challenges in purely online meetings, preferring an in-person format for interactive parts of future OEWG sessions. One delegate cautioned that the pending election of a Bureau Vice-Chair within the Eastern European Group may necessitate an in-person meeting and suggested holding OEWG 2 in January 2024.

On key issues for discussion at OEWG 2 and possibly OEWG 3, numerous delegates supported a work programme covering all elements of UNEA Resolution 5/8 that are not yet addressed. Some highlighted the panel's rules of procedure, saying this should encompass discussions on inclusivity, transparency, conflict of interest, and cross-cutting elements. A delegate noted that some of the issues that the OEWG is tasked with by Resolution 5/8 should be considered under the rules of procedure and further suggested considering options drawn from science-policy bodies to facilitate discussions. Another drew attention to document UNEP/SPP-CWP/OEWG.1/INF/7, which contains an overview of existing rules and procedures of selected science-policy bodies.

Some delegates proposed adding financial arrangements, prioritization of requests, and governance to the list of elements for consideration. Some member states noted the difficulty of undertaking preliminary consideration of these issues at the current meeting before asking the Secretariat to produce draft documents.

Some delegates requested a full "zero draft" outlining the panel's functions, operating principles, and institutional arrangements, while others suggested identifying options within a draft text. One delegate suggested that an expert group be established to help prepare a zero draft. Others stressed the need to develop a common understanding of the content of such a zero draft. Some delegates suggested developing a list of the documents that the OEWG is mandated to prepare for the panel to clarify the task ahead.

Following a discussion on resource mobilization, the Secretariat clarified that resource mobilization refers to the OEWG, stressing that budgeting for the panel itself is a separate discussion. He explained that the Resolution is clear in that respect, referring to an extra-budgetary process and inviting countries in a position to do so to make necessary resources available.

On intersessional work for preparation of relevant documents for OEWG 3, suggestions included a survey and a document on engaging stakeholders. A group of countries suggested inviting written submissions, given the difficulties of designing surveys that generate the desired output.

Following discussion, the contact group decided that the Co-Chairs and the Secretariat will hold informal consultations with interested member states to decide which of the elements

in Resolution 5/8 will be discussed at OEWG 2, with the understanding that working documents will be prepared intersessionally. Discussions will continue on Thursday in the contact group.

### ***Informal Consultations: Capacity-building Function***

In informal discussions, facilitated by Marine Collignon, many delegates from developing countries stressed that capacity building should be added as a separate, standalone function, reflecting its cross-cutting nature, and two regional groups offered textual suggestions in that respect. Others emphasized that capacity building is more of a support tool than a function per se, suggesting it be tied to the existing four functions of the panel (horizon scanning; assessments; communication, dissemination, and public awareness; and information-sharing) rather than added as a separate function.

Delegates also addressed: relevant experiences from other science-policy bodies, stressing that funding has been a major constraint on capacity-building activities; whether production of new data for assessments or horizon scanning is needed or existing data will suffice; ways to take into account existing capacity-building initiatives and prioritize capacity-building needs without preempting future panel decisions; and ways to contextualize capacity building, including improving overall participation in future assessments. Discussions will continue in the contact group on scope and functions.

### ***In the Corridors***

As delegates turned the corner at the halfway mark of the meeting, they also turned their attention to what happens when they leave Bangkok. Delegates in the contact group on scope and functions embarked on the journey of negotiating text. This produced a somewhat "convoluted text" on the objective of the panel. It provoked a nervous laugh in the room when put back on the screen in the evening, as delegates tried to make out the text amid the lists of countries supporting, opposing, and reserving judgment, on various phrases.

Some delegates enjoyed the new endeavor of text negotiations. However, not everyone in the room appreciated the pace of the discussions. Some openly admitted frustration, asking "what did that time get us?" and generally questioning whether this week will bring substantive progress towards developing the new science-policy panel. Others thought countries were at a natural – and necessary – brainstorming step.

In the messiness of brainstorming, there were some surprises. One participant was surprised that the word "advice" appeared in the objective text, saying this veered "into policy-prescriptive territory." More fundamentally, there was a call for the outline of a zero draft to be developed overnight, for consideration at this meeting. Since the discussion at the time was on intersessional work, this caught some by surprise. Eventually, it became clear that the proponents had in mind a step-wise approach to progressing discussions. By identifying what elements could go in a zero draft, delegates could then consider what intersessional work would be required to set up a successful OEWG 2.

Several expressed concern about the limited time remaining at this session of the OEWG. It became apparent that progress achieved might be perceived differently: Some participants highlighted the added value of developing a common language and understanding of what the new panel could be. Others emphasized the substantive amount of work that remains for two more conference days and, more importantly, for only two remaining sessions of the OEWG to be held before the end of 2024.