

Summary 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: 11-15 December 2023

The [Lancet Commission report on Pollution and Health](#) reveals that air, water, and soil pollution are responsible for an estimated 9 million premature deaths and cost the world trillions of dollars every year. This is about three times the death burden from malaria, HIV/AIDS, and tuberculosis combined. Despite their heavy toll on health and the environment, chemicals and waste issues receive less policy and public attention than disease, climate change or biodiversity loss.

In order to holistically address the triple planetary crisis of climate change, biodiversity loss and pollution, it is crucial to develop robust science-policy interfaces. For climate change and biodiversity, dedicated platforms already exist: the Intergovernmental Panel on Climate Change (IPCC) and the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES). The IPCC and IPBES provide policy-relevant scientific advice to inform the UN Framework Convention on Climate Change and the Convention on Biological Diversity, respectively, through their outputs and deliverables. At present, no such body exists to comprehensively address chemicals, waste, and pollution in the same way, despite the development of scientific advisory bodies with specific mandates linked to relevant multilateral environmental agreements that address chemicals and waste.

To bridge this gap, United Nations Environment Assembly (UNEA) resolution 5/8, adopted in 2022, decided that a science-policy panel (SPP) should be established to contribute further to the sound management of chemicals and waste, and the prevention of pollution. The ad hoc open-ended working group (OEWG) for the SPP is tasked with developing this panel.

The second meeting of the OEWG focused on developing proposals for the SPP's establishment. Discussions were organized under four contact groups on:

- Scope, functions, operating principles, and conflict of interest (CoI);
- Institutional arrangements and relationships with key stakeholders;
- Work-related processes and procedures of the SPP; and
- Intersessional work and budget.

The main outcomes of OEWG-2 are contained in six conference room papers (CRPs) and address: institutional arrangements; operating principles; CoI; scope, objective, and functions; intersessional work; and the provisional agenda for OEWG-3, scheduled for June 2024. Many of the outcomes will populate the outline for proposals for the establishment of an SPP that will be negotiated at subsequent sessions.

Originally scheduled to be held at the Dead Sea in Jordan, OEWG-2 convened from 11-15 December 2023 in Nairobi, Kenya. Participants included more than 200 delegates from over 114 Member States, more than 59 representatives from civil society organizations, and representatives from intergovernmental organizations.

The official meeting was preceded by an informal meeting and regional consultations on Saturday and Sunday, 9-10 December. On [Saturday](#), delegates were able to engage in a direct exchange of views on the skeleton outline and draft text for proposals for the establishment of an SPP. They participated in a panel discussion setting the scene for the meeting, before convening in informal discussions. These discussions addressed institutional arrangements, relationships with relevant key stakeholders, and work-related processes and procedures.

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A Brief History of the Science-Policy Panel for Chemicals, Waste, and Pollution

Chemicals, waste, and pollution are permanent features of our daily lives. They also pose direct threats to the environment and human health. With this in mind, the fourth meeting of UNEA, held in March 2018, adopted a resolution calling on all stakeholders to strengthen the science-policy interface at all levels. It also requested the Secretariat to prepare a report assessing options for strengthening the science-policy interface at the international level for the sound management of chemicals and waste.

At the resumed session of UNEA 5, held in February-March 2022, Member States adopted UNEA [resolution 5/8](#), which calls for establishing a new science-policy panel to contribute further to the sound management of chemicals and waste and the prevention of pollution.

As envisaged, this panel could support countries' efforts to implement multilateral environmental agreements and other relevant international instruments, promote the sound management of chemicals and waste, and address pollution, by providing policy-relevant scientific advice on issues. The panel could also further support relevant multilateral environmental agreements, other international instruments and intergovernmental bodies, the private sector, and other relevant stakeholders in their work.

To establish this panel, UNEA decided to convene an OEWG to prepare proposals for the panel with the ambition of completing its work before the end of 2024. An intergovernmental meeting will then be held to consider the proposals generated by the OEWG.

OEWG 1-1: The first part of the first session convened on 6 October 2022 in Nairobi, Kenya, and virtually. Member States gave general statements and focused on organizational matters to kickstart the OEWG's work. Member States agreed that three OEWG meetings during 2023 and 2024 would suffice to complete its work in preparation for an intergovernmental meeting. They agreed to focus on the panel's scope and functions at OEWG 1.2.

OEWG 1-2: At the resumed first meeting (30 January – 3 February 2023, Bangkok, Thailand), delegates focused on the scope and functions of the panel. Capacity building attracted particular attention, which delegates ultimately agreed would be an additional function of the new panel. They also agreed on a list of the elements that will have to be negotiated and adopted to establish the panel, including rules of procedure, processes for adopting assessments, and institutional arrangements, among others. Delegates further agreed on a timeline for when each element will be discussed and on how intersessional work will proceed.

OEWG-2 Report

On Monday, 11 December, OEWG Chair Gudi Alkemade (the Netherlands) opened the meeting, drawing attention to the 114 states and 59 observer organizations registered. She stressed the discussions at this meeting would be critical to set the course of work for 2024 and encouraged delegates to be efficient and productive.

As host of the meeting, Mohammed Khashashneh, Secretary General, Ministry of Environment, Jordan, reiterated his country's commitment to establish the SPP. Highlighting that “we do not need to reinvent the wheel,” he said the SPP should be based on the views of all stakeholders and be informed by other international agreements.

Sheila Aggarwal-Khan, Director, Economy Division, UN Environment Programme (UNEP), proposed that the SPP:

build strong policy links that translate science to action; create transformational pathways towards sustainable development; and build inclusive partnerships, including with Indigenous Peoples and local communities, and industry.

Suggesting that the SPP could tackle interdisciplinary questions, Lesley Onyon, Head, Chemical Safety and Health Unit, World Health Organization (WHO), pointed to WHO guidelines, particularly on air quality and chemical safety. She urged delegates to work with national health units to define WHO's role in the SPP process.

Adoption of the Agenda and Election of Officers

On [Monday](#), delegates adopted the provisional agenda ([UNEP/SPP-CWP/OEWG.2/1](#)) and the scenario note for OEWG-2 ([UNEP/SPP-CWP/OEWG.2/INF/1/Rev.1](#)).

Chair Alkemade recalled the current composition of the Bureau, noting Judith Torres (Uruguay) replaced Valentina Sierra (Uruguay) as representative of the Latin American and Caribbean Group (GRULAC) through a silence procedure. Delegates discussed the election of two representatives from the Eastern European Group (EEG), with Chair Alkemade suggesting holding elections by secret ballot.

The election took place on [Tuesday](#), with delegates electing Roman Filonenko (Ukraine) and Alexandru Roznov (Romania) with 60 and 54 votes, respectively. Vladimir Lenev (Russian Federation) garnered 42 votes.

Preparation of Proposals for the Establishment of an SPP

This agenda item was discussed in plenary on Monday and Friday and in contact groups from Monday to Thursday. Contact group Co-Facilitators reported back to plenary during stocktaking sessions from Tuesday to Friday.

On [Monday](#), Chair Alkemade introduced the skeleton outline for proposals for the establishment of an SPP ([UNEP/SPP-CWP/OEWG.2/2](#)), and the draft text for proposals to establish an SPP ([UNEP/SPP-CWP/OEWG.2/INF/10/Rev.1](#)), noting the latter contains textual suggestions that may be considered as the basis of discussions towards the development of proposals. Regional groups and major stakeholder groups offered general views.

Chair Alkemade suggested, and delegates agreed to, establish three contact groups to address: scope, functions, operating principles, and CoI; institutional arrangements and relationships with relevant key stakeholders; and work-related processes and procedures of the SPP.

Scope, functions, operating principles, and CoI: On [Monday](#), the Secretariat presented the document ([UNEP/SPP-CWP/OEWG.2/3](#)) and relevant information documents in plenary, including a proposal for a CoI policy for the SPP ([UNEP/SPP-CWP/OEWG.2/INF/10/Add.1](#)), and delegates exchanged general comments. Discussions continued in Contact Group 1, co-facilitated by Itsuki Kuroda (Japan) and Sam Adu-Kumi (Ghana), which met from Monday to Thursday.

On [Monday](#), the contact group addressed operating principles, focusing on missing elements and making relevant suggestions, and initiated discussions on CoI.

On [Tuesday](#), discussions on operating principles focused on a clustered list of proposed elements, while deliberations on a CoI policy continued.

On [Wednesday](#), discussions on the CoI policy included a question and answer session with the Ozone and IPCC Secretariats. Delegates

further discussed five newly proposed operating principles and initiated discussions on capacity building.

On [Thursday](#), delegates discussed definitional issues, timeframes, and policy implementation procedures on CoI, operational principles, and capacity building.

On Friday, Co-Facilitator Adu-Kumi presented three outcome documents on the Panel's:

- operating principles (UNEP/SPP-CWP/OEWG.2/CRP.3);
- CoI policy (UNEP/SPP-CWP/OEWG.2/CRP.4); and
- scope, objectives and functions (UNEP/SPP-CWP/OEWG.2/CRP.5).

He also noted the contact group had identified two intersessional activities: a webinar on capacity building, and written submissions to inform discussions on the CoI disclosure form.

BRAZIL, with the US, noted the group had not addressed the chapeau on scope, objectives, and functions of the SPP, which delegations had agreed to bracket during OEWG-1.2. Chair Alkemade proposed, and delegates agreed, to request the Secretariat to revise UNEP/SPP-CWP/OEWG.2/CRP.5 to include the relevant brackets. Delegates agreed to populate the skeleton outline with the content of the outcome documents.

Outcomes: UNEP/SPP-CWP/OEWG.2/CRP.3 contains ten previously proposed operating principles, contained in Annex I of [UNEP/SPP-CWP/OEWG.2/3](#) and an additional five proposed at OEWG-2. All the proposed operating principles are heavily bracketed. The five additional operating principles relate to:

- recognizing the technical knowledge of workers;
- integrating capacity building and a prevention-focused principle into all relevant aspects of the SPP's work;
- providing ethical deliverables;
- recognizing the unique scientific knowledge within and among regions and ensuring the use of national, sub-regional and regional assessments and knowledge; and
- integrating gender equality and equity into the panel's work.

UNEP/SPP-CWP/OEWG.2/CRP.4 states the purpose and objective of the SPP's CoI policy and its scope, and defines "CoI." In an annex, it describes implementation procedures, including the review processes for bureau and committee members, as well as the yet-to-be-agreed interdisciplinary expert committee, prior to and after their appointment, as well as the review process for individuals with other roles subject to the CoI policy prior to and after appointment. It then delineates principles for considering CoI issues, explains procedures for processing and storing information, and describes how the CoI Committee will be set up. A separate annex provides the SPP's CoI disclosure form.

UNEP/SPP-CWP/OEWG.2/CRP.5/Rev.1 contains a bracketed chapeau, and the four functions of the panel identified under UNEA resolution 5/8, including: horizon scanning; conducting assessments; providing up-to-date and relevant information; and facilitating information sharing. It also contains an additional function related to capacity building, with two bracketed proposals. The first calls to provide capacity building through all the functions of the panel and facilitate technology transfer, in particular to developing countries, to improve the science-policy interface at appropriate levels, including activities to ensure effective, geographically balanced, and gender-responsive participation of scientists in the panel's assessments, strengthen data generation capacity, enhance knowledge and skills that will support country infrastructure and human capacity, and facilitate connection and matchmaking of capacity-related needs and potential solutions. The second

proposes to build capacity to support the functions and work of the panel in order to strengthen the science-policy interface for sound management of chemicals and waste and to prevent pollution.

Institutional arrangements and relationships with relevant key stakeholders: On [Monday](#), the Secretariat introduced documents [UNEP/SPP-CWP/OEWG.2/4](#) and [UNEP/SPP-CWP/OEWG.2/5](#), as well as information documents [UNEP/SPP-CWP/OEWG.2/INF/4](#) and [UNEP/SPP-CWP/OEWG.2/INF/5](#). Delegates exchanged general comments.

Discussions continued in Contact Group 2, co-facilitated by Sofia Tingstorp (Sweden) and Judith Torres (Uruguay), which met from Monday to Thursday.

On [Monday](#), delegates agreed on the structure of the discussions, listened to general comments on the draft text, and initiated deliberations on provisions on plenary.

On [Tuesday](#), the Secretariat presented a diagram of the envisaged bodies under the SPP, and discussions focused on the plenary and bureau functions as well as on provisions on membership.

On [Wednesday](#), delegates addressed a process for evaluating the SPP's operational effectiveness and impact; committees and subsidiary bodies; strategic partnerships; and financial arrangements.

On [Thursday](#), discussions focused on strategic partnerships and intersessional work.

On Friday, Co-Facilitator Tingstorp reported to plenary on Thursday's deliberations and presented the outcome document (UNEP/SPP-CWP/OEWG.2/CRP.2). She added that the group suggested intersessional work for the Secretariat to develop an information document on financial arrangements and text for the annexes on: rules of procedure; financial rules and procedures; the process for determining the work programme, including prioritization; procedures for the preparation and clearance of panel deliverables; and a conflict of interest policy.

Highlighting an oversight on the bracketing of one paragraph, Chair Alkemade suggested, and delegates agreed, to adopt CRP.2 with the understanding that the provision would be bracketed, and a revised document would be developed by the Secretariat.

Outcome: The outcome document (UNEP/SPP-CWP/OEWG.2/CRP.2/Rev.1) includes heavily bracketed sections on: the plenary/governing body; bureau; committees and subsidiary bodies, including an interdisciplinary expert committee, a newly suggested policy committee, and other subsidiary bodies; and secretariat. Provisions address, among other things, the envisaged bodies' membership and functions.

The outcome document further contains sections on financial arrangements; strategic partnerships; and provisions on the evaluation of the operational effectiveness and impact of the SPP.

Work-related processes and procedures of the panel: On [Monday](#), the Secretariat introduced the document ([UNEP/SPP-CWP/OEWG.2/6](#)) and relevant information documents, including the summary and analysis of submissions received on needs and questions the panel may handle ([UNEP/SPP-CWP/OEWG.2/INF/9](#)).

Discussions continued in Contact Group 3, co-facilitated by Katerina Sebková (Czechia) and Moleboheng Juliet Petlane (Lesotho).

On [Wednesday](#), the contact group Co-Facilitators joined Contact Group 2 to collaboratively discuss the interrelationships between the SPP's deliverables and institutional arrangements.

On [Thursday](#), the Secretariat presented a diagram visualizing a potential workflow for an SPP assessment. Discussions focused on the preparation and clearance of SPP deliverables, identification

and engagement of experts, work programme considerations, and intersessional work.

On Friday, in plenary, Co-Facilitator Sebková gave an oral presentation on Thursday's discussions in Contact Group 3 on work-related processes and procedures. She noted the Secretariat presented a draft workflow chart on the steps and processes for larger assessments and delegates exchanged initial views. She reported on discussions regarding timelines for the preparation of deliverables; their review process; and final adoption, including the role of the expert committee. She highlighted the group's preference for a transparent, rigorous, but simple procedure for review and adoption, aligned with practices under IPCC and IPBES, allowing for joint initiatives.

Co-Facilitator Sebková noted that the group agreed on the usefulness of the workflow chart but felt it less applicable to functions such as capacity building. She highlighted a request for additional charts on other deliverables, to reflect institutional arrangements and cover timelines for consideration and adoption. She further stressed delegates' preference for a rolling programme of work to ensure flexibility.

On identification of experts, she noted the group's consensus that the required expertise will depend on the deliverables but also their divergent opinions on whether experts should be nominated by states or also by observer organizations. She emphasized the need for an interdisciplinary approach including environmental, health, and social sciences, and contributions from academia, policy, and industry with robust and transparent CoI provisions. She underscored that the workflow chart and Annex 4 of [UNEP/SPP-CWP/OEWG.2/INF/10/Rev.1](#), containing procedures for the preparation and clearance of panel deliverables, will form the basis of discussions at OEWG-3.

Outcome: Chair Alkemade suggested, and delegates agreed, to annex the Co-Facilitators' report to the meeting's report.

Options for the Timetable and Organization of the Future Work of the OEWG

This agenda item was discussed on Monday in plenary, and on Thursday and Friday in a contact group.

On [Monday](#), the Secretariat introduced the update on work undertaken in the period between the first and second sessions, budget and expenditure, and the provisional workplan ([UNEP/SPP-CWP/OEWG.2/7/Rev.1](#)).

Chair Alkemade proposed, and delegates agreed, to conduct informal discussions on the budget, facilitated by Jinhui Li (China) on Monday afternoon. They also established Contact Group 4 to consider intersessional work and budget, co-facilitated by Ana Berejiani (Georgia) and Toks Akinseye (UK).

On [Tuesday](#), Facilitator Li reported on the informal discussions on the budget, emphasizing the informal group achieved its objective, saying the outcome would expedite discussions under Contact Group 4 on intersessional work and budget.

On [Thursday](#), Contact Group 4 met in the evening to discuss intersessional work, on the basis of suggestions from the other contact groups. Discussions continued on Friday, co-facilitated by Chair Alkemade and Přemysl Štěpánek (Czechia), as both the initially appointed co-facilitators were unavailable.

On Friday, Contact Group 4 addressed three outstanding paragraphs on intersessional work for the Secretariat. Delegates eventually agreed to request the Secretariat to prepare proposals to

be considered by the intergovernmental meeting for the purpose of considering establishing a science-policy panel, for consideration by OEWG-3.

Delegates agreed to replace text referring to "decisions/resolutions to be adopted by the intergovernmental meeting," and list interim arrangements needed, with text on proposals on interim arrangements for consideration by OEWG-3 for possible approval at the intergovernmental meeting.

Delegates debated inviting submissions from Member States and stakeholders on the CoI form and preparing a revised form based on these submissions for OEWG-3. After Co-Facilitator Alkemade's reminder that nothing precludes providing submissions, delegates eventually agreed on alternative text simply requesting that the Secretariat, "in preparation for OEWG-3, prepare proposals for a revised CoI form based on the discussions at OEWG-2."

Contact Group 1 Co-Facilitator Kuroda and others cautioned this language does not appropriately reflect Contact Group 1's outcome and request to Contact Group 4 regarding intersessional work.

In plenary, Co-Facilitator Štěpánek noted the group had completed its mandate by finalizing options for the timetable and organization of the future work of the OEWG (UNEP/SPP-CWP/OEWG.2/CRP.6), which provides instructions to the Secretariat on intersessional work. He also highlighted the group had forwarded the budget (contained in UNEP/SPP-CWP/OEWG.2/7/Rev.1) to the plenary for endorsement. He underlined the need to ensure coherence among the workstreams, reflecting on this as a lesson learned. He pointed to discussions on issues related to CoI, which had been addressed in more than one contact group, noting Contact Group 4 had agreed to an outcome that had altered the perception of the conclusions from Contact Group 1, lamenting this impacted the coherence of the process.

Chair Alkemade welcomed the work of the group, and noted that more guidance on a coherent process for future meetings will be provided by the Bureau and Secretariat. She proposed, and delegates agreed, to endorse the budget ([UNEP/SPP-CWP/OEWG.2/7/Rev.1](#)). She also proposed, and delegates agreed, to request the Secretariat to prepare for intersessional work, as set out in UNEP/SPP-CWP/OEWG.2/CRP.6.

Outcome: In the outcome of the discussions on options for the timetable and organization of the future work of the OEWG (UNEP/SPP-CWP/OEWG.2/CRP.6), delegates request the Secretariat to:

- prepare draft texts, for consideration by OEWG-3, for: Annex 1, taking into account existing rules and procedures of the IPCC, IPBES and UNEA; Annex 2; Annex 3; and Annex 4, based on the views expressed in Contact Groups 2 and 3, and in accordance with the table of contents set out in document UNEP/SPP-CWP/OEWG.2/INF/10/Rev.1;
- update document UNEP/SPP-CWP/OEWG.2/INF/10/Add.2 based on the views expressed in Contact Groups 2 and 3;
- prepare proposals to be considered by the intergovernmental meeting for the purpose of considering establishing an SPP, for consideration by OEWG-3;
- prepare, for OEWG-3, proposals on interim arrangements for consideration and possible approval at the intergovernmental meeting;
- prepare a relevant information document to facilitate the understanding of the working document requested on financial arrangements;
- in preparation for OEWG-3, prepare proposals for a revised CoI form based on discussions at OEWG-2;

- prepare, in consultation with the Bureau, timely webinars on: the capacity-building function of the panel, and submit a summary of the views expressed for the information of OEWG-3 and the documentation prepared by the secretariat for OEWG-3; and
- facilitate regional consultations ahead of OEWG-3.

Provisional Agenda for OEWG-3

On [Thursday](#), delegates adopted the provisional agenda for OEWG-3 (UNEP/SPP-CWP/OEWG.2/CRP.1), without comment.

Outcome: The provisional agenda contains sections on: opening of the session; election of officers; adoption of the agenda and other organizational matters; preparation of proposals for the establishment of an SPP; recommendations to the UNEP Executive Director for the preparation of the intergovernmental meeting to establish the SPP; other matters; adoption of the report of the session; and closure of the session.

Adoption of the Meeting Report and Closure of the Session

On Friday, Rapporteur Cyrus Mageria (Kenya) introduced the meeting report (UNEP/SPP-CWP/OEWG.2/L.1) and delegates approved it with minor edits.

Romania, for the EEG, welcomed the work of the OEWG, reiterated the region's commitment to the establishment of an SPP, and noted that, although the text is not clean, the meeting provided more clarity on the structure of the future instrument.

The EU underscored that air, water, and soil pollution are responsible for an estimated 9 million premature deaths and cost trillions of dollars every year, stressing the need to establish the SPP and fill the gap in the science-policy landscape addressing the triple planetary crisis.

Nigeria, for the AFRICAN GROUP, lauded the meeting as another crucial milestone towards the development of the SPP and called for inclusive intersessional work on capacity building, CoI, financial issues, and institutional arrangements.

China, for the ASIA-PACIFIC GROUP, called for ensuring that regional groups can participate in the discussions on drafting of working documents, underscoring the function on capacity building, including provision of financial resources, technical assistance, and technology transfer, while further stressing the need for gender and regional balance in participation of scientists and other stakeholders.

Argentina, for GRULAC, noted capacity building is a crosscutting element for the SPP, stressing it needs to be robust and take into account specific needs of developing countries at both the regional and national levels. He further highlighted the need to take into account human rights, including the human right to a clean, healthy, and sustainable environment, gender equality, intergenerational equity, and local and traditional knowledge.

MAJOR GROUPS AND OTHER STAKEHOLDERS stressed “five essentials” for the future SPP and the way forward: diligent CoI policies and regular evaluations of them; the human right to a clean, healthy and sustainable environment; the precautionary approach; fully transparent calls for experts; and a timely dissemination of materials for OEWG-3.

The WOMEN'S MAJOR GROUP called for a comprehensive plan for inclusivity to ensure diverse perspectives in shaping the process, because the panel needs the views of women and other vulnerable groups. She stressed gender-responsive results, transparency on product information, and government policies to prioritize ecosystems and human health over profit.

The CHILDREN AND YOUTH MAJOR GROUP urged capacity building; balance; inclusiveness; attention to factors contributing to the vulnerability of particularly vulnerable communities; and capitalizing on youth's knowledge of technology and innovative and cross-cutting approaches.

Chair Alkemade thanked everyone and reflected on OEWG-2, noting the OEWG now has a full Bureau with a collaborative spirit and the meeting was a step towards fulfilling UNEA's promise to come up with proposals to establish a panel for scientists to help all levels of policymakers base their decisions on the best available knowledge. She said the task now is to elevate scientific knowledge into action on the ground. Looking ahead to OEWG-3, she urged everyone to engage with a respectful spirit, listening to each other's needs and being true to the OEWG mandate, in order to achieve a meaningful panel. She closed OEWG-2 at 5:28 pm.

A Brief Analysis of OEWG-2

It took nine years from the time scientists decided they must step outside their “silos” regarding climate change until the Intergovernmental Panel on Climate Change (IPCC) held its first meeting in 1988. It was 13 years from Kofi Annan's call for the first biodiversity assessment in 2000 until assessments were institutionalized with the first meeting of the Intergovernmental Science-Policy Platform for Biodiversity and Ecosystem Services (IPBES). How long will it take to get a science-policy panel on chemicals, waste, and pollution?

The future Science-Policy Panel (SPP) is being built on the foundation its brother and sister institutions provide. But getting the new body right for its purpose is not just a copy-and-paste exercise. In Nairobi, crafters of the SPP gave their insights on the structure of the future SPP, indicating where its rooms might differ from the others.

Institutional legacies largely originate from the IPCC and IPBES, both well-established examples of bridging science and policy in an intergovernmental body. “The wheel doesn't need to be re-invented” is a slogan that was echoed repeatedly in the breezeways and meeting rooms of the UN Office at Nairobi. The Secretariat's skeleton outline with draft text for the establishment of the SPP, prepared prior to the meeting, was proof of the heavy influence of institutional examples provided by the IPCC and IPBES.

But the new science-policy body must also adapt to the uniqueness of the chemicals, waste, and pollution cluster. Just like its predecessors, the new SPP's integrity needs to be shielded from powerful, conflicting interests. Specific attention also needs to be given to capacity building in developing countries, who, as expressed by one delegate, “are simply consumers and not producers of hazardous substances.” Furthermore, as a new body, this SPP could learn lessons from other existing bodies about what works well and what could be improved, and innovate new ways of interfacing science and policy.

This brief analysis reflects on elements that affect the new panel's credibility, legitimacy and relevance, which drew considerable attention during the second meeting of the open-ended working group (OEWG-2).

Ensuring Integrity

Conflict of interest (CoI) turned out to be one of the most controversial elements at OEWG-2 and was discussed at length throughout the week. Given that the contact group that addressed it was only required to propose deletions or insertions to the draft

text that the Secretariat had produced based on suggestions made at OEWG 1.2, rather than come to any actual agreement, the lengthy debates it engendered indicate the depth of interests and their potential to conflict with the overall aims of the proposed SPP.

The controversy centered around who the CoI should extend to, and why. Delegates voiced strong opinions about who should have to disclose information about positions and associations, and the time period such a disclosure should cover. In this regard, delegates exchanged views on whether such disclosures should be required of review editors—experts asked not to serve as authors, lead authors, or coordinating lead authors, nor to serve as officers of the SPP, but simply to read draft text and comment on it based on their expertise.

Most participants at OEWG-2 agreed that, ideally, individuals in positions to know about chemicals and their risks should be involved in chemical assessments under the SPP. Nevertheless, delegates are aware that a huge portion of information on the thousands of chemicals produced annually is proprietary. The dilemma is that many of the experts are tied to companies that do not allow them to disclose proprietary information as these disclosures could impact the companies' profit margins, and thus the individual's own livelihood. To the extent that this conflicts with the public interest aims of the SPP, these experts may be hesitant to disclose their association for fear of losing their ability to contribute to, or influence, the assessments of the SPP.

One way forward is to learn how SPPs in other environmental areas have addressed these issues. OEWG-2 delegates heard from several Secretariats, including from the IPCC, Montreal Protocol, and Basel, Rotterdam and Stockholm Conventions. For example, members of the Stockholm Convention's Persistent Organic Pollutant Review Committee are expected to disclose "real, potential or apparent" conflicts of interest. The CoI policy pertaining to experts on the Montreal Protocol's Technology and Economic Assessment Panel calls for disclosures of "any interest...which... does or appears to significantly impair that individual's objectivity in carrying out their duties and responsibilities...or creates an unfair advantage for any person or organization." Within the IPCC, an author's CoI may be tolerated where the individual is deemed to provide a unique contribution to an IPCC product and where it is determined the conflict can be managed such that it will not have an adverse impact on the relevant IPCC report.

From the discussions at this meeting, it is unclear how delegates will create a balance that could both draw experts into the SPP, and allow them to also continue their professional functions. This is a question that the OEWG will have to grapple with.

Of concern to many, therefore, was the success of a few delegations in influencing not only the draft CoI language itself but also the intersessional work to be done in developing the CoI disclosure form to be used. The text now reads that OEWG-3's work will only be based on the comments—the deletions and insertions—made at OEWG-2, rather than any new information or ideas submitted before OEWG-3, which some felt, hits the brakes on the momentum built over the course of OEWG-2. For many, the suggestion for written submissions during the intersessional period would have infused the process with innovative ideas to consider at the next meeting. But these ideas will now need to be shared for the first time at OEWG-3.

Building Capacity

While OEWG-2 featured first readings of draft text for proposals to establish the SPP, delegates also followed up on a decision taken at OEWG-1.2 earlier this year in Bangkok, to include capacity

building as a function of the SPP. Based on two competing proposals forwarded by the EU and the African Group, delegates struggled to find a way forward.

One proposal follows the tradition of science-focused capacity building as it has evolved in the IPCC and IPBES. The IPCC, without having a dedicated capacity-building function, took a decision to establish a scholarship programme for scientists from developing countries following its 2007 receipt of the Nobel Peace Prize. IPBES regularly communicates its capacity-building activities, structuring them according to the lead organization, the type of contribution, and the interlinkages with IPBES objectives. In addition to its own fellowship programme, IPBES facilitates capacity-building activities by catalyzing the uptake of approved assessments through learning material and workshops. As a veteran of science-policy processes noted, however, IPBES' capacity-building function is limited in scope and does not serve larger capacity needs.

The other proposal advocates a comprehensive approach that builds science- and policy-capacity. Promoted by many developing countries, such an approach would include facilitating technology transfer and ensuring adequate financing to promote the full and effective participation of developing countries, not only in the SPP itself, but in developing the primary research that the SPP is then mandated to assess.

Increased research capacity in developing countries could greatly improve the information base for the panel's assessments. Lack of data, in particular from less developed regions, has in the past impacted the quality of outputs and deliverables of both IPCC and IPBES, including limiting the regional relevance of global assessments.

Developing country delegates also highlighted their technological and financial capacity needs to effectively tackle pollution at the national level. They underscored that they disproportionately face challenges with chemical pollution, an issue also recorded in the 2019 Global Chemicals Outlook, which highlighted relevant issues, in particular associated with the release of heavy metals from battery recycling and mercury from artisanal and small-scale gold mining. Others, however, questioned whether the SPP "should do a job normally done by multilateral environmental agreements," cautioning against duplicating efforts.

Delegates seemed to agree that for the sound management of chemicals and waste, capacity building matters. But negotiations on the form this capacity building will take were tense in the evening hours of the contact group and in several informal consultations. Ultimately, OEWG-2 did not make progress toward achieving consensus. Delegates decided to request the Secretariat to hold an intersessional webinar to better clarify positions and a detailed screening of other science-policy bodies for more information. It was clear for many delegates that a comprehensive capacity-building function will "need much more money," a scarce resource in the science-policy family. As some delegates urged against mandatory contributions and even queried voluntary assessed contributions, further efforts will be required to ensure that the new SPP will have the necessary resources, including financial ones, at its disposal to successfully fulfil its functions.

Innovating Institutional Arrangements

Nowadays, the starting point for establishing a new science-policy body is considerably different from the late 1980s when the IPCC was being created. What appeared to be an oxymoron back then—to produce quality scientific assessments through consensus—

has become a model for a science-policy interface in a unique intergovernmental format. Many delegates discussing institutional arrangements for the future SPP referenced the IPCC and IPBES examples. Some urged OEWG-3 simply to “get the basic structure right,” to allow the substantive work of the panel to start as soon as possible.

Most participants at OEWG-2 agreed on the opportunity to learn lessons from past successes and shortcomings, and adapt the new body to the needs of the chemicals, waste, and pollution cluster. Overall, delegates promoted a lean structure to ensure efficient workflows, but also discussed potential institutional innovations. Besides arguing over the overall decision-making body and discussing proposals on the secretariat and a bureau to oversee the panel’s work, delegates debated proposals on several subsidiary bodies.

The draft text for a scientific advisory committee, referred to as the “Interdisciplinary Expert Committee,” outlines a mechanism for non-governmental actors to appoint *ex-officio* experts. Several governments opposed this idea, with one noting, “We should let this group do its work efficiently.” While several observers highlighted the benefits of expanding expertise beyond government-appointed scientists, a central question concerns which stakeholder groups will “get a say.” Between formal contact group sessions, observers informally discussed the various stakeholder groupings of different UN bodies, but a seasoned expert noted the prime importance of “getting governments on board for this idea.”

Delegates also proposed additional subsidiary bodies, such as, a policy committee and an error analysis committee. Some argued that a policy committee would add a policy perspective to the prioritization process for the panel’s work programme, which otherwise might be too science-driven, and increase the transparency of the process. Many emphasized that, ideally, outputs of the panel would particularly address the information and knowledge needs of developing countries, as envisaged in the SPP’s operating principles.

During the intersessional period, the Secretariat will have to develop proposals on many elements close to the heart of the new body: rules of procedure, financial rules and procedures, a process for determining the work programme, including prioritization, and procedures for the preparation and clearance of panel deliverables. Several delegates expressed hope that discussions on these elements at OEWG-3 will bear fruit, particularly if they hearken back to the call to “not reinvent the wheel.”

Born Next Year?

After one week of negotiations in Nairobi, delegates managed to get more meat on the skeleton outline for the new science-policy body. However, a lot of work still lies ahead. Halfway through the week, several delegates voiced their frustration about the lack of progress, also due to the procedural delays associated with having to fill two vacant seats in the OEWG Bureau. With both seats on the Bureau now filled and intersessional work for the Secretariat outlined, 2024 promises to be a significant year for the science-policy family.

Crafters of the new science-policy body will reconvene in Geneva for the third session of the OEWG in June 2024. That meeting will shed light on whether the OEWG can live up to the ambition of completing its work by the end of 2024, as set forth in the UN Environment Assembly’s mandate. It was noted, by several delegates and observers, however, that this deadline is “soft” and only indicates ambition. Does anyone really expect the SPP to be established by the end of next year, or even for the OEWG to call for

an intergovernmental meeting for establishing such an SPP? Only time will tell whether the political will is sufficient to overcome key divergences and establish the SPP within its ambitious timeframe.

Upcoming Meetings

Sixth meeting of the UN Environment Assembly (UNEA-6): UNEA-6 convenes under the theme “Effective, inclusive and sustainable multilateral actions to tackle climate change, biodiversity loss, and pollution.” It will be preceded by the sixth meeting of the Open-ended Committee of Permanent Representatives, which will take place from 19-23 February 2024. **dates:** 26 February – 1 March 2024 **location:** Nairobi, Kenya **www:** unep.org/environmentassembly/unea6

66th meeting of the GEF Council (GEF-66): The GEF, through its funding window for chemicals and waste, serves as the financial mechanism for the Stockholm Convention on Persistent Organic Pollutants. The Council adopts and evaluates the operational policies for GEF financed activities, considers instructions from the COPs for which it serves as the financial mechanism, and approves the GEF work program (projects submitted for approval). **dates:** 5-9 February 2024 **location:** Washington DC, US **www:** thegef.org

Plastics Treaty INC-4: Under its mandate from UNEA, the INC is scheduled to continue negotiations on a treaty on plastics pollution. **dates:** 21-30 April 2024 **location:** Ottawa, Canada **www:** unep.org/inc-plastic-pollution/session-4

Basel Convention OEWG-14: The 14th meeting of the OEWG of the Basel Convention will review technical guidelines, including for persistent organic pollutant wastes and waste batteries. It will also take up issues related to reviewing the annexes of the Convention and improving the prior informed consent procedure. **dates:** June 2024 (TBA) **location:** Geneva, Switzerland **www:** basel.int

OEWG-3 Science-Policy Panel to Contribute Further to the Sound Management of Chemicals and Waste and to Prevent Pollution: Under its UNEA mandate, OEWG-3 is expected to continue working on proposals for the SPP for UNEA’s consideration in 2026. **dates:** 17-21 June 2024 **location:** Geneva, Switzerland **www:** unep.org/oewg-spp-chemicals-waste-pollution

For additional meetings, see sdg.iisd.org

Glossary

CoI	Conflict of interest
CRP	Conference Room Paper
EEG	Eastern European Group
IPBES	Intergovernmental Science-Policy Platform for Biodiversity and Ecosystem Services
IPCC	Intergovernmental Panel on Climate Change
GRULAC	Latin American and Caribbean Group
OEWG	Open-ended working group
SPP	Science-Policy Panel
UNEA	United Nations Environment Assembly
UNEP	United Nations Environment Programme