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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**  
Nairobi, 11–15 December 2023

## **Report 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**

### **Introduction**

1. On 2 March 2022, the United Nations Environment Assembly of the United Nations Environment Programme, in resolution 5/8, decided that a science-policy panel should be established to contribute further to the sound management of chemicals and waste and to prevent pollution. The Environment Assembly also decided to convene, subject to the availability of resources, an ad hoc open-ended working group that would begin its work in 2022, with the ambition of completing it by the end of 2024.
2. The second session of the ad hoc open-ended working group was held at the headquarters of the United Nations Environment Programme (UNEP) in Nairobi from 11 to 15 December 2023.

### **I. Opening of the session**

3. The meeting was opened at 10.20 a.m. by Gudi Alkemade (Kingdom of the Netherlands), Chair 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.
4. Opening statements were delivered by Mohammed Khashashneh, Secretary-General of the Ministry of Environment, Jordan, on behalf of the host government; Sheila Aggarwal-Khan, Director, Industry and Economy Division, UNEP; and Lesley Onyon, Head, Chemical Safety and Health Unit, World Health Organization (WHO).
5. In his opening statement, Mr. Khashashneh, noting that current events had prevented the second session of the ad hoc open-ended working group from being held in Jordan, said that the science-policy panel was urgently needed. Science served as the basis for technical decision-making to protect people's health and the environment from the hazards of chemicals and waste. Notwithstanding the existence of several relevant international conventions, millions of deaths reportedly occurred owing to the mismanagement or misuse of hazardous chemicals and pesticides or the illegal trade in such materials. A science-policy panel would therefore contribute to addressing gaps and challenges at the international level, play an effective role in reducing pollution associated with the unsound management of chemicals and aid in the development of policies and legislation at the local, regional and international levels.
6. The work that had been carried out to date and the documents that had been prepared by the secretariat constituted a good starting point for discussions. The accumulated experience of a broad range of actors, including States, international organizations and research institutions, as well as

international conventions, such as the Convention on Biological Diversity and the United Nations Framework Convention on Climate Change, would also facilitate the work of the ad hoc open-ended working group. While it was not necessary to reinvent the wheel, it was essential to leverage new science and technology. Members of the ad hoc open-ended working group must work together to create a strong science-policy panel on the basis of resolution 5/8 of the United Nations Environment Assembly of the United Nations Environment Programme.

7. Ms. Aggarwal-Khan said that the world was facing a triple planetary crisis of climate change, nature and biodiversity loss, and pollution. The latter had recently been receiving greater attention: chemical exposure and waste were intensifying, leading to deaths, economic losses and damage to nature and the climate. Over the past year, frameworks for addressing chemicals, waste and pollution had been strengthened. For example, the Global Framework on Chemicals – For a Planet Free of Harm from Chemicals and Waste, had been adopted; progress had been made by the intergovernmental negotiating committee to develop an international legally binding instrument on plastic pollution, including in the marine environment; and a specific target on curbing pollution had been included in the Kunming-Montreal Global Biodiversity Framework. To build a greener future, however, a stronger science-policy interface was needed to identify chemical-related issues, provide solutions and guide policy action and investment.

8. The establishment of a new science-policy panel to contribute further to the sound management of chemicals and waste and to prevent pollution would serve to create a triple scientific-panel response – with the Intergovernmental Panel on Climate Change and the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services – to the triple planetary crisis. The ad hoc open-ended working group was encouraged to set up the panel in such a way that it leveraged science but also built strong links to policy, thus delivering a big policy impact. In addition, the panel should be broad – integrating perspectives from not only the natural sciences but also economics and social and behavioural sciences – focused on solutions and inclusive of local communities and Indigenous Peoples, who were so often on the receiving end of pollution. Industry, which produced pollution upstream, must also be involved, albeit with the requisite measures in place to prevent conflicts of interest and lobbying.

9. Ms. Onyon said that known avoidable environmental risks to health caused more than 13 million deaths a year and accounted for a quarter of the global disease burden. Greater efforts and innovations were needed to prevent those impacts, address gaps in capacity and attend to the specific concerns of countries at different stages of development. The proposed science-policy panel could tackle some of the broader interdisciplinary questions, such as how to speed up the implementation of evidence-based solutions at the country level. A strategic approach that added value and avoided duplication of existing processes was needed.

10. WHO carried out various science-policy activities of relevance to the proposed panel, such as establishing evidence-based scientific guidelines, including on chemicals of key public health concern, carrying out chemical risk assessments, synthesizing emerging science and evidence and addressing cross-cutting issues, such as microplastics in drinking water and hazardous chemicals used in health care. The organization's work was underpinned by high standards of transparency and integrity and strict and well-established procedures, including for identifying and managing potential conflicts of interest. WHO had already begun a process of engagement and outreach with its constituents on the important work of the ad hoc open-ended working group. The World Health Assembly had also requested WHO to report on possible options for its role in the proposed panel at the next Assembly meeting in May 2024. Members of the ad hoc open-ended working group were therefore encouraged to coordinate with their health ministries on a possible WHO role, including at the 154th session of the WHO Executive Board in January 2024.

## **II. Election of officers**

11. The Chair recalled that, at its first session, the ad hoc open-ended working group had elected her to serve as Chair and the following individuals to serve as Vice-Chairs of the Bureau: Linroy Christian (Antigua and Barbuda); Jinhui Li (China); Oumar Diaouré Cisse (Mali); Saqlain Syedah (Pakistan); Michel Tschirren (Switzerland); and Valentina Sierra (Uruguay). In addition, Cyrus Mageria (Kenya) had been elected to serve as Rapporteur. In the intersessional period, Ms. Sierra had been replaced by Judith Torres (Uruguay), who had been elected by means of a silence procedure, in accordance with rule 19 of the rules of procedure of the United Nations Environment Assembly.

12. The Chair also recalled that two seats for the Eastern European States remained vacant in the Bureau and that four Member States from among those States had presented individual nominees, none of whom had been endorsed by the Eastern European States. At the regional group's request, the

ad hoc open-ended working group had decided to postpone the election of the Bureau members from the Eastern European States to its second session to allow for further regional consultations. One individual nominee had subsequently withdrawn their candidature, leaving three candidates, namely: Alexandru Roznov (Romania); Vladimir Lenev (Russian Federation); and Roman Filonenko (Ukraine).

13. A representative speaking on behalf of the Eastern European States said that, despite intense consultations during the intersessional period, the regional group had failed to reach consensus on the matter. A lengthy discussion ensued.

14. At the third plenary meeting, one representative, speaking on behalf of a group of countries, said that he wished to place on record that his region had been deeply affected by a statement that had been made during the discussion on the agenda item. The ad hoc open-ended working group was supposed to be a forum for collegiality, respect, equality and the free exchange of views. Participants must not be judged on the basis of race, colour, sex, ethnic or social origin or any other grounds. Minimum ethical standards must be respected; the sessions of the ad hoc open-ended working group must be free of political interference and manipulation. Another representative, expressing full support for the previous statement, said that interventions that were injurious or offensive to another delegation must not be tolerated.

15. The ad hoc open-ended working group agreed to hold a secret ballot. The Chair outlined the procedure for the secret ballot, which was being held in accordance with rules 56 and 58 of the rules of procedure of the United Nations Environment Assembly. She clarified that no proxies had been approved.

16. Subsequently, the Chair invited participants to resume their consideration of agenda item 2, election of officers, in order to elect two members of the Bureau of the ad hoc open-ended working group from the Eastern European States by secret ballot.

17. The Chair confirmed that 109 representatives of members of the open-ended working group were present and that a quorum was therefore confirmed.

18. At the request of one delegation, the Chair confirmed the verification and acceptance of the letters of accreditation and representation of representatives as adopted by the Bureau and presented to the ad hoc open-ended working group.

19. At the invitation of the Chair, the representatives of Japan, Trinidad and Tobago and South Africa acted as tellers.

20. A vote was taken by secret ballot.

Number of ballot papers: 106

Number of valid ballots: 106

Abstentions: 16

Number of members present and voting: 90

Required majority: 46

Number of votes obtained:

Alexandru Roznov (Romania) 54

Vladimir Lenev (Russian Federation) 42

Roman Filonenko (Ukraine) 60

21. Having obtained the required majority, Mr. Roznov and Mr. Filonenko were elected Vice-Chairs of the Bureau of the ad hoc open-ended working group.

22. The Chair congratulated Mr. Roznov and Mr. Filonenko on their election and confirmed that the Bureau of the ad hoc open-ended working group had been fully constituted.

23. Speaking in exercise of the right of reply, one representative said that the remarks referred to earlier in the discussion had been deeply regrettable. Upon being informed of the incident, the relevant authorities had immediately taken the necessary measures.

### **III. Adoption of the agenda and other organizational matters**

#### **A. Adoption of the agenda**

24. The Chair recalled that, at its resumed first session, the ad hoc open-ended working group had adopted the following agenda on the basis of the provisional agenda and the draft annotated agenda (UNEP/SPP-CWP/OEWG.2/1 and UNEP/SPP-CWP/OEWG.2/1/Add.1):

1. Opening of the session.
2. Election of officers.
3. Adoption of the agenda and other organizational matters:
  - (a) Adoption of the agenda;
  - (b) Organizational matters.
4. Preparation of proposals for the establishment of a science-policy panel.
5. Options for the timetable and organization of the future work of the ad hoc open-ended working group.
6. Provisional agenda of the third session.
7. Other matters.
8. Adoption of the report of the session.
9. Closure of the session.

#### **B. Organizational matters**

25. The ad hoc open-ended working group agreed to organize the work of its second session in accordance with the draft annotated agenda and the scenario note (UNEP/SPP-CWP/OEWG.2/INF/1/Rev.1), on the understanding that the tentative schedule for the session, including for the contact groups, would be updated on a daily basis in the light of the progress achieved in plenary and contact group meetings.

26. It was agreed that, should contact groups be established, the following clusters of topics should be addressed: (a) scope, functions, operating principles and conflicts of interests; (b) institutional arrangements; (c) work-related processes and procedures of the panel; and (d) intersessional work and budget in advance of the third session and beyond. It was also agreed that no more than two such groups would be scheduled to meet at the same time, thereby ensuring that smaller delegations could participate in all the deliberations. It was also agreed that the ad hoc open-ended working group would establish additional contact or informal groups as it deemed necessary.

#### **C. Attendance**

27. The meeting was attended by representatives of the following Governments: Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bosnia and Herzegovina, Botswana, Brazil, Cambodia, Cameroon, Canada, China, Colombia, Comoros, Congo, Cook Islands, Costa Rica, Croatia, Cuba, Cyprus, Czechia, Côte d'Ivoire, Denmark, Djibouti, Dominican Republic, Egypt, El Salvador, Equatorial Guinea, Eswatini, Ethiopia, Fiji, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Japan, Jordan, Kenya, Lao People's Democratic Republic, Lesotho, Liberia, Luxembourg, Madagascar, Malawi, Maldives, Mauritania, Mauritius, Mexico, Morocco, Mozambique, Netherlands (Kingdom of the), Nicaragua, Nigeria, North Macedonia, Norway, Oman, Panama, Pakistan, Philippines, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Rwanda, Saudi Arabia, Senegal, Serbia, Sierra Leone, Slovakia, Somalia, South Africa, Spain, Sri Lanka, State of Palestine, Sudan, Suriname, Sweden, Switzerland, Thailand, Togo, Trinidad and Tobago, Tunisia, Tuvalu, Türkiye, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen and Zimbabwe.

28. Representatives of the European Union also attended the session.

29. Representatives of the following United Nations agencies, funds and programmes, secretariats of other intergovernmental organizations, secretariats of multilateral environmental agreements and other entities attended: Basel Convention Regional Centre for Asia and the Pacific (BCRC-China);

Basel Convention Regional Centre for the Arab States, Egypt (BCRC-Egypt); Food and Agriculture Organization of the United Nations; Intergovernmental Panel on Climate Change; International Labour Organization; secretariat of the Basel, Rotterdam and Stockholm conventions; International Sustainable Chemistry Collaborative Centre (ISC3); International Union for Conservation of Nature and Natural Resources; Office of the United Nations High Commissioner for Human Rights; Ozone Secretariat; South Asia Co-operative Environment Programme; United Nations Environment Programme; World Health Organization.

30. Representatives of the following non-governmental, industry, academic and other entities attended: All Africa Council of Churches; Association Abel Granier (Stiftung Abel Granier); Association Catholique pour la Protection de l'Environnement au Burundi; Association des Etats Généraux des Etudiants de l'Europe; Association of Uganda Professional Women in Agriculture and Environment; Carbone Guinée; Center for International Environmental Law; Centre for Community Economics and Development Consultants Society; Centre for Environment Justice and Development; Children and Youth International; Defensores do Planeta; EcoWaste Coalition; Global Alliance on Health and Pollution; Greenpeace International; GRID-Arendal; Gulf Research Centre Foundation; India Youth for Society; International Centre for Environmental Education and Community Development; International Council of Chemical Associations; International Institute for Sustainable Development; International Pollutants Elimination Network; International Panel on Chemical Pollution; Interwaste Research and Development East Africa Trust; International Union of Pure and Applied Chemistry; Journalists for Human Rights; Juventud Unida en Acción; Kenya Environment and Waste Management Association; Kenya Network of Grassroots Women Foundation; Kenyan Youth Biodiversity Network; Let's Do It World; Marine Ecosystems Protected Areas Trust Inc.; Minderoo Foundation; MUN Impact; Norwegian Institute of Marine Research; Public Association Experts Association Pro-Mediu; Red de Acción en Plaguicidas y sus Alternativas para América Latina; Red Paz Integración y Desarrollo; Society of Environmental Toxicology and Chemistry; Sustainable Energy and Enterprise Development for Communities; Sustainable Environment Food and Agriculture Initiative; TakingITGlobal; The MSP Institute; University of Exeter; Welfare Togo; Youth4Nature; World Federation of Public Health Associations.

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

31. Introducing the item, the Chair invited regional and political groups to deliver statements expressing general views on the substantive issues to be considered at the current session.

32. The representative speaking on behalf of the group of African States thanked the secretariat for the documentation provided and expressed strong support for basing discussions at the current session on the draft text for proposals to establish a science-policy panel, as set out in document UNEP/SPP-CWP/OEWG.2/INF/10/Rev.1. He noted that it was also important to learn from the structures and operating modalities of existing science-policy bodies, building on their strengths and learning from their weaknesses. With regard to institutional arrangements, he underlined the need for broader participation by observers in the panel, while at the same time giving due regard to the rules of procedure for admittance and participation. Furthermore, he proposed that the number of experts from developing countries involved in reviewing and evaluating the technical reports to be produced by the new panel should be increased and that there should be equal representation of experts from the health and environmental sectors. With regard to capacity-building, he expressed a preference for the first of the two options forwarded from the resumed first session (UNEP/SPP-CWP/OEWG.1/7, annex II), as it would promote and support inclusivity, local content, Indigenous knowledge, adaptive technology transfer and the continuity of capacity-building measures. Regarding operating principles, he proposed the inclusion of ethical considerations, and of disciplinary measures within the policy on conflict of interest. Furthermore, he expressed the view that, in order to avoid duplication of effort and enhance resource efficiency, the work programmes and financial rules of the new panel should be independent and aligned with its scope, as well as with the objectives of the Global Framework on Chemicals – For a Planet Free of Harm from Chemicals and Waste. Although it would have been preferable to finalize the scope and functions of the new panel before addressing institutional arrangements, it was acceptable, for the sake of expediency, to run the discussions concurrently.

33. The representative speaking on behalf of the group of Latin American and Caribbean States expressed his gratitude to the secretariat for the documentation provided. He said that the new panel should have a broad scope and that its work should be guided by overarching principles, including a human-rights-based approach; gender equality; inclusive participation; and the use of traditional knowledge, the knowledge of Indigenous Peoples and systems of local knowledge; and that the panel itself should be balanced in terms of geographical, regional and gender representation.

Capacity-building and a robust financing mechanism would also be critical for the new panel, as its effectiveness would depend on the integration of people and institutions from developing countries, which were facing the greatest challenges in relation to chemicals, waste and pollution. The panel should be independent, robust and interdisciplinary in nature, with effective policies to prevent conflict of interest.

34. The representative speaking on behalf of the group of Eastern European States, thanking the secretariat for the documentation provided, expressed strong support for basing discussions at the current session on the draft text for proposals to establish a science-policy panel set out in document UNEP/SPP-CWP/OEWG.2/INF/10/Rev.1 and the draft procedure for receiving and prioritizing requests put to the panel set out in document UNEP/SPP-CWP/OEWG.2/INF/10/Add.2. She noted the urgency of bridging the gap between scientific knowledge and policy implementation in order to address the growing threats posed by pollution and hazardous substances, as well as the importance of international cooperation, the sharing of expertise and the promotion of transparency in order to harness the wealth of knowledge that already existed within countries and regions in order to devise global solutions. She underlined the importance of providing capacity-building through all the functions of the panel, with a particular emphasis on facilitating technology transfer to developing countries. It was also vital to ensure that the participation of scientists in the assessments of the new panel would be effective, gender-responsive and geographically balanced. Furthermore, she noted the importance of capacity-building in the areas of data generation and the knowledge and skills of human resources, in particular so that countries in the region could contribute to scientific assessments and policy formulation.

35. The representative speaking on behalf of the European Union and its member States, thanking the secretariat for the documentation provided, expressed support for basing discussions at the current session on the draft text for proposals to establish a science-policy panel set out in document UNEP/SPP-CWP/OEWG.2/INF/10/Rev.1. He noted that the proposed objective for the new panel had reached a good level of consensus and that further discussions regarding capacity-building were required when considering the functions of the new panel. He said that he looked forward to discussions on relationships with relevant stakeholders and noted the importance of a clear policy on conflicts of interest for the credibility of the new panel. He expressed support for beginning discussions on work-related processes and procedures for the panel at the current session and said that he looked forward to reaching agreement on the intersessional work to be carried out before the third session of the ad hoc open-ended working group.

36. The representative speaking on behalf of the group of Asia-Pacific States, thanking the secretariat for the documentation provided, said that the region was open to basing discussions at the current session on the skeleton outline for proposals for the establishment of a science-policy panel set out in document UNEP/SPP-CWP/OEWG.2/2 and the draft text for proposals to establish a science-policy panel set out in document UNEP/SPP-CWP/OEWG.2/INF/10/Rev.1. He expressed the view that the scope of the new panel should be broad in order to effectively address the mandate set out in Environment Assembly resolution 5/8, and that the panel should have operating principles rooted in scientific principles, clear institutional arrangements and a structure that would allow implementation of all the required functions. Furthermore, he stressed that the governance of the panel should be driven by Member States and was critical for providing the mandate for, and prioritizing the work of, the panel. The new panel should be neutral, transparent, inclusive and based on good governance, transcending political considerations and territorial disputes and not generating any legal implications. The main objective of the panel should be the provision of policy-relevant evaluation of scientific evidence, with a focus on inclusive, science-based solutions for the sound management of chemicals, waste and pollution that took into consideration the capacity and circumstances of developing countries, and that would ultimately lead to the enhancement of human well-being and contribute to the prosperity of all. In addition, the panel should build the capacity of scientists across all relevant areas, as well as supporting and integrating relevant international and regional bodies and mechanisms in order to avoid duplication and encourage complementarity. The provision of the necessary capacity-building, including through financial assistance, technical assistance and technology transfer, would be critical for developing countries in particular. In conclusion, he underlined the importance of a consensus-based approach to decision-making during the current process.

#### **A. Skeleton outline and draft text proposals for the establishment of a science-policy panel**

37. The Chair drew attention to the skeleton outline for proposals for the establishment of a science-policy panel set out in document UNEP/SPP-CWP/OEWG.2/2, and the draft text for proposals

to establish a science-policy panel set out in document UNEP/SPP-CWP/OEWG.2/INF/10/Rev.1, which had been prepared by the secretariat at the request of the Bureau, and it was suggested that they be used as the starting point for the development of the text of the proposals for the establishment of the new panel, without prejudice to the outcome of the discussions.

38. Introducing the documents, the representative of the secretariat said that, under the guidance of the Bureau, the secretariat had prepared the skeleton outline for proposals for the establishment of the new panel, and that examples and lessons learned from existing science-policy interfaces, as well as the structure of those interfaces, had been considered when developing the outline. The first part of the skeleton outline was intended to cover the foundational elements for establishing the panel, namely scope, objective and functions; operating principles; and institutional arrangements. The second part, in the form of annexes, covered additional elements intended to guide the new panel. A number of working and information documents (UNEP/SPP-CWP/OEWG.2/3–UNEP/SPP-CWP/OEWG.2/6 and UNEP/SPP-CWP/OEWG.2/INF/2–UNEP/SPP-CWP/OEWG.2/INF/8) had been prepared by the secretariat, each covering one or more of the outline elements.

39. She noted that there were some differences between the skeleton outline and the structure used for the draft text for proposals to establish a science-policy panel. Firstly, the distinct section on the relationship with relevant key stakeholders in the skeleton outline had been integrated in the draft text into the sections on institutional arrangements, including in a new subsection on strategic partnerships, and work-related processes and procedures. Secondly, a technical correction had been made in the draft text to rename the annex on “financial arrangements” as “financial rules and procedures”, as the financial arrangements were covered under the section on institutional arrangements. Finally, a fourth section, on the evaluation of the operational effectiveness and impact of the panel, had been added to the foundational elements, in line with the structure of other science-policy interfaces.

40. In the ensuing discussion, a number of representatives speaking on behalf of groups of countries reiterated their support for using the two documents as the basis for further negotiations, in the contact groups, to develop the proposals for the establishment of a science-policy panel. One representative expressed the view that the section on the evaluation of the operational effectiveness and impact of the panel should not be one of the foundational elements but should instead become an annex, as only the panel itself would be in a position to decide on suitable evaluation of its activities and processes and it was currently unknown what those activities and processes would be.

41. The ad hoc open-ended working group agreed to base further consideration of the draft text for proposals for the establishment of a science-policy panel on the outline set out in document UNEP/SPP-CWP/OEWG.2/INF/10/Rev.1, on the understanding that the ad hoc open-ended working group would consider whether the current section on the evaluation of the operational effectiveness and impact of the panel might be better set out in an annex, once discussed.

## **B. Scope, functions, operating principles and conflict of interest**

42. The Chair drew attention to document UNEP/SPP-CWP/OEWG.2/3 and related information documents UNEP/SPP-CWP/OEWG.2/INF/2, UNEP/SPP-CWP/OEWG.2/INF/3, UNEP/SPP-CWP/OEWG.2/INF/9, as well as sections A and B of the annex to document UNEP/SPP-CWP/OEWG.2/INF/10/Rev.1. She also drew attention to section V of document UNEP/SPP-CWP/OEWG.2/6, as well as related information documents UNEP/SPP-CWP/OEWG.2/INF/8 and UNEP/SPP-CWP/OEWG.2/INF/10/Add.1.

43. Providing further information on the documents, the representative of the secretariat noted that the background document on operating principles had been informed by written submissions from members and stakeholders and that specific text proposals for the scope, objective and functions of the panel had been provided in section A of the draft text for proposals to establish a science-policy panel and text proposals on the operating principles of the panel had been provided in section B of the same document. Furthermore, she noted that two of the key issues identified for consideration at the current session were the capacity-building function, for which two text proposals emanating from the resumed first session had been provided, and the operating principles. With regard to the latter, she noted that annex I to the document on scope and objective, functions and operating principles contained a list of principles drawn from Environment Assembly resolution 5/8, and that annex II to the same document contained principles from other interfaces, which had been identified through the written submissions received.

44. In the ensuing discussion, one representative, speaking on behalf of a group of countries, recalling that a preference for a short yet broad objective for the panel had been identified at the resumed first session and that agreement had been reached to include the functions for the new panel as set out in resolution 5/8, emphasized that it would be preferable not to reopen the discussion on

those agreed functions. He said that he looked forward, however, to negotiations regarding the fifth function, which had been proposed at the resumed first session. Regarding operating principles, he expressed the view that they should be concise, clear and stand-alone, as they should guide all facets of the panel's work.

45. One observer, speaking on behalf of several groups of observers, said that the scope of the new panel needed to be broad and inclusive, as the panel would be required to consider thousands of chemicals. Regarding the research that would be undertaken by the new panel, it remained unclear whether it would be based on primary data or on peer-reviewed research, as was the case for the Intergovernmental Panel on Climate Change. Another observer underlined the importance for the panel of adopting an iterative approach for continuous learning and adaptation, as well as updating recommendations in the light of new evidence, rapid technological advances and changing circumstances.

46. With regard to capacity-building, one observer, speaking on behalf of several groups of observers, said that it seemed as though the process was envisioned as a one-way exercise and it was unclear who was the intended recipient of capacity-building. It would be important for the new panel to understand the challenges and issues faced by farmers, women, grassroots communities and the science and technology communities, as well as the perspective of those groups on possible solutions.

47. Regarding the proposed operating principles, one observer, speaking on behalf of several groups of observers, suggested adding "integrity" to scientific independence and referring to the polluter pays principle. In addition, a number of observers, including one speaking on behalf of several groups of observers, requested that other knowledge systems, such as those of Indigenous Peoples, women, young people, local communities, and vulnerable and marginalized groups, be respected and recognized under the principle of generating a truly inter-scientific dialogue. One observer noted in particular the different knowledge and skill sets, as well as the local data sources, that such groups could contribute to the new panel. Another observer, recalling the proposal from his group for the establishment of a multidisciplinary youth expert group for the panel, requested the addition of the principle of intergenerational inclusivity and underlined the importance of a human-rights-based approach for the panel. The observer speaking on behalf of several groups of observers requested clarification regarding any precedence for the use of the term "the right to science" in intergovernmental agreements, questioned the necessity of "informed" as a qualifier for "participation", and sought clarity regarding the statement on the participation of non-governmental organizations in plenary meetings being "qualified in matters covered by the panel".

48. With regard to functions, a number of observers, including one speaking on behalf of several groups of observers, noted the need for effective stakeholder engagement, with the observer speaking on behalf of several groups of observers requesting that the active, efficient participation of civil society as observers be extended to include the nine major groups under the United Nations Environment Assembly.

49. The ad hoc open-ended working group agreed to establish a contact group on the scope, functions and operating principles of the science-policy panel to contribute further to the sound management of chemicals and waste and to prevent pollution. The contact group was mandated to finalize the draft proposal on scope and functions, including to develop, on the basis of previous considerations and further consultations, a proposed text on capacity-building that complemented the agreed functions and the text on the objective for the panel, as well as to develop a draft proposal on operating principles on the basis of the text provided in the draft text for proposals to establish a science-policy panel (UNEP/SPP-CWP/OEWG.2/INF/10/Rev.1), and possibly to identify which principles should be added. In addition, the contact group was mandated to consider how to address conflict of interest, using the proposal for a conflict-of-interest policy for the science-policy panel (UNEP/SPP-CWP/OEWG.2/INF/10/Add.1) as a basis for its discussions. The co-facilitators of the contact group would be Sam Adu-Kumi (Ghana) and Itsuki Kuroda (Japan). Subsequently, the contact group was also mandated to identify and consider possible intersessional work to forward to a contact group, once established, that would consider future intersessional work and budget.

50. Later in the session, one representative reiterated the importance of considering how to address conflict of interest in relation to the new panel and expressed support for discussing the issue in the contact group.

51. Subsequently, the co-facilitator of the contact group on scope, functions and operating principles said that the secretariat had been requested to provide a restructured draft conflict-of-interest form, as set out in annex B to the annex to document UNEP/SPP-CWP/OEWG.2/INF/10/Add.1, that separated declarations of financial conflicts of interest from non-financial ones for further consideration by the contact group.



52. Later in the session, the co-facilitator of the contact group, noting that the group had completed its mandate, introduced conference room papers containing draft text on the operating principles of the panel; a conflict-of-interest policy; and the scope, objective and functions of the panel. He also said that proposed intersessional activities had been forwarded by the group to the contact group on intersessional work and budget for its consideration. The proposed activities included opening a call for written submissions regarding the draft conflict-of-interest form and preparing a revised version of the draft conflict-of-interest form on the basis of those submissions, as well as holding a webinar on capacity-building.

53. One representative sought clarification regarding the chapeau of the draft text on the scope, objective and functions of the panel. The draft text as forwarded from the resumed first session had contained brackets around the chapeau but, despite the chapeau text not having been discussed in the contact group, the brackets had been removed from the text as set out in the conference room paper. Another representative expressed the view that the text should be bracketed but that the open-ended working group should recall that, as recorded in paragraph 81 of the report of the resumed first session (UNEP/SPP-CWP/OEWG.1/7), it had agreed at the resumed first session that the four functions as adopted in Environment Assembly resolution 5/8 should be included in the proposal and that a fifth function, on capacity-building, would be added to the proposal, but that further discussions were needed to finalize the wording of that function.

54. The ad hoc open-ended working group agreed that the draft text on the scope, objective and functions of the panel; the operating principles of the panel; and the conflict-of-interest policy; as set out in the conference room papers and as orally amended, would be used to populate sections A and B and annex 5, respectively, of the skeleton outline contained in document UNEP/SPP-CWP/OEWG.2/INF/10/Rev.1, as set out in annex II to the present report, without formal editing.

### **C. Institutional arrangements**

55. The Chair drew attention to the documents UNEP/SPP-CWP/OEWG.2/4 and UNEP/SPP-CWP/OEWG.2/5, and related information documents UNEP/SPP-CWP/OEWG.2/INF/4 and UNEP/SPP-CWP/OEWG.2/INF/5, as well as section C of the annex to document UNEP/SPP-CWP/OEWG.2/INF/10/Rev.1.

56. Introducing the documents, the representative of the secretariat said that the institutional arrangements would set out the key characteristics as to how the panel would operate, including a decision-making body (plenary), oversight body (bureau), an interdisciplinary committee of experts to provide scientific advice, other possible subsidiary bodies, and a secretariat. It would also serve as the basis for elements in the rules of procedure to be adopted by the panel. In considering the institutional arrangements and, subsequently, the rules of procedure, it would also be important to develop a common understanding of the relationships of the various bodies of the panel with key stakeholders.

57. A number of representatives, including one speaking on behalf of a group of countries, said that the institutional arrangements of the Intergovernmental Panel on Climate Change and the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services should be considered as models so as not to “reinvent the wheel” and others expressed the view that lessons learned from existing panels should be properly reflected in the new panel to allow for a stronger science-policy interface. One representative noted that lessons could also be learned from the scientific bodies under the United Nations Framework Convention on Climate Change and the Convention on Biological Diversity, as well as the scientific mechanism under the Stockholm Convention on Persistent Organic Pollutants, and that regional knowledge should be harnessed through the regional centres of organizations such as WHO and the Food and Agriculture Organization of the United Nations. With regard to the proposed establishment of an interdisciplinary expert committee, one observer suggested that, using the Stockholm Convention as an example, text should be added to that section of the institutional arrangements to the effect that lack of full scientific certainty should not prevent the development of policies to protect human health and the environment.

58. A number of representatives said that it was important for members to develop a common understanding at the current session regarding the type of subsidiary bodies required under the decision-making body and how scientists and policymakers would be involved in such bodies. In addition to the plenary, the bureau and the interdisciplinary committee of experts to provide scientific advice, an additional structure should be considered to strengthen the involvement of policymakers in order to promote effective communication between science and policy, and the composition of all the bodies of the panel should be considered in terms of the inclusion of policymakers, scientists or both. One representative, noting the importance of the transparent and impartial nature of the work of the

new panel, said that it would be vital that the structure of the panel separate policy from science but also provide for a bridge between the two, and underlined the importance of a robust policy on conflict of interest.

59. One representative noted that, to some extent, consideration of the institutional arrangements would only be possible in the light of agreements reached in the contact group on scope, functions and operating principles.

60. One representative, speaking on behalf of a group of countries, noted that the mandate in resolution 5/8 referred to the rules of procedure for the panel and not exclusively to rules of procedure for the plenary of the panel.

61. A number of representatives said that it would be preferable to develop a common understanding of the institutional arrangements that would be needed before considering how stakeholders would be involved in each body of the panel.

62. A number of observers, including one speaking on behalf of several groups of observers, underlined the importance of the recognition and involvement of major groups and other stakeholders in order to ensure the inclusion of those most vulnerable to chemical and waste pollution, as well as wider engagement, collaboration and mutual learning.

63. One observer speaking on behalf of several groups of observers expressed the view that major groups and other stakeholders should have input into all nomination processes, including in the bureau and committees, as well as those for the experts conducting assessments. There should be an open call for nominations and those nominations should meet criteria for inclusion, diversity and other systems of knowledge. In addition, all major groups and other stakeholders should be represented in the governance of the panel and a multidisciplinary youth expert group should be established. Another observer drew attention to the successful model used by the Strategic Approach to International Chemicals Management that would continue to be used under the Global Framework on Chemicals – For a Planet Free of Harm from Chemicals and Waste, where stakeholders played a role in governance.

64. One observer speaking on behalf of several groups of observers advocated responsible engagement with the private sector, noting that organizations with potential conflicts of interest should not be granted accreditation, and another observer recalled the need for a robust policy on conflict of interest in that regard.

65. One observer, noting the provision on the transparency of decision-making processes, requested that members consider explicitly mentioning transparency in relation to the working processes set out under institutional arrangements. Another observer sought clarification from the secretariat regarding the proposal on stakeholders, highlighting that the proposal contained in document UNEP/SPP-CWP/OEWG.2/INF/10/Rev.1 differed slightly from that contained in document UNEP/SPP-CWP/OEWG.2/4.

66. The ad hoc open-ended working group agreed to establish a contact group on institutional arrangements for the new panel. The contact group was mandated to finalize the proposals for institutional arrangements on the basis of the text provided in the draft text for proposals to establish a science-policy panel (UNEP/SPP-CWP/OEWG.2/INF/10/Rev.1) and to consider whether the section on the evaluation of the operational effectiveness and impact of the panel should be contained in an annex. The contact group was also mandated to consider the ways that stakeholders would be engaged in the panel, as well as possible strategic partnerships. The co-facilitators of the contact group would be Sofia Tingstorp (Sweden) and Judith Torres (Uruguay). Subsequently, the contact group was mandated to identify and consider possible intersessional work to forward to a contact group that, once established, would consider future intersessional work and budget.

67. Subsequently, the co-facilitator of the contact group requested the secretariat to present at the next meeting of the contact group a graphical representation, produced on the basis of the descriptions provided in the draft text for proposals to establish a science-policy panel (UNEP/SPP-CWP/OEWG.2/INF/10/Rev.1), depicting the various elements, including the main and subsidiary bodies, that would together form the institutional arrangements for the panel. Furthermore, she suggested that the discussion on potential subsidiary bodies for the new panel should be held in a plenary meeting of the ad hoc open-ended working group.

68. Responding to questions from a number of representatives, including one speaking on behalf of a group of countries, regarding the proposed working methods of the contact group, the Chair confirmed that the draft text for proposals to establish a science-policy panel (UNEP/SPP-CWP/OEWG.2/INF/10/Rev.1) was only intended as a means to focus discussions. The

relevant sections could be deleted, added to or altered by the contact group. Furthermore, the co-facilitator clarified that the contact group would first gather the views of members before using the text as the basis for further discussion. After seeking general views, the contact group would seek views on the plenary, the bureau and the secretariat, and then on the subsidiary bodies.

69. One representative noted that many of the discussions mandated to the contact group on institutional arrangements would need to be informed by the outcomes of discussions being held in the contact group on scope, functions and operating principles. There was therefore a need to ensure that suitable arrangements were in place for bridging the discussions of the two contact groups. In response, the Chair said that the issue was being taken into account when setting the meeting times of the contact groups. Once the contact group on scope, functions and operating principles produced outcomes that would be taken into account in the work of the contact group on institutional arrangements, those outcomes would be made available and time would be allowed for members to consider them before discussing institutional arrangements further. She also suggested that the contact group on institutional arrangements begin working on standard arrangements to the extent possible in order to make the most of the time available.

70. One representative underlined the importance of the involvement of policymakers in the institutional arrangements of the new panel in order to ensure that science could be turned into action.

71. Subsequently, the co-facilitator of the contact group on institutional arrangements suggested that a joint meeting be held with the contact group on work-related processes and procedures of the panel in order to develop a common understanding of the deliverables and institutional arrangements that would be proposed for the panel. If time allowed, the expertise required for the various elements of the institutional arrangements could also be discussed.

72. A number of representatives, including one speaking on behalf of a group of countries, expressed concern regarding the working methods of the contact group on institutional arrangements. They noted that there had been a shift from gathering views to negotiating text and that not all the views expressed by members had been reflected in the text being negotiated. Furthermore, they expressed the view that the proposed joint meeting of the two contact groups should be postponed until all the relevant preliminary work of the contact group on institutional arrangements had been completed, partly in order not to slow down the work of that contact group further.

73. The Chair clarified that the mandate given to the contact group on institutional arrangements had been to exchange views on the draft text, in order to reach a common starting point, and then to discuss the draft text, while ensuring that the views of all members were captured in the draft text and noting any points of convergence.

74. One representative noted that draft text on some elements of the proposals for the establishment of a science-policy panel had been shared only very recently, not allowing much time for consideration of that text. She therefore suggested that there be a common understanding that only preliminary views on the draft text were being exchanged at the current session and that the outcomes of the session would serve as a starting point for text negotiations at the third session, without prejudice to additional views expressed by members at that third session. In addition, she expressed the view that the point would soon be reached in the discussions on institutional arrangements where the processes and procedures of the proposed structures would need to be considered.

75. The Chair confirmed that any outcome from the current session would reflect the “state of play” and would not preclude members from proposing changes to the draft text at the third session, especially having had time during the intersessional period to reflect on the outcome of the current session in its entirety, while noting that she trusted that the ad hoc open-ended working group would continue to build upon agreed outcomes as much as possible, in order to make progress and deliver on its mandate.

76. With regard to the need to discuss processes and procedures, one representative suggested that, rather than holding a joint meeting of the two contact groups, the co-facilitators of the contact group on work-related processes and procedures of the panel could be invited to participate in a session of the contact group on institutional arrangements in order to garner views on the deliverables of the panel, so that those views could then be used to inform the discussions of the contact group on work-related processes and procedures of the panel when it began its work.

77. The ad hoc open-ended working group agreed that the co-facilitators of the contact groups on institutional arrangements and on work-related processes and procedures of the panel would make arrangements for a discussion on the deliverables of the panel and on the expertise required in that regard, to be held at an appropriate point during a session of the contact group on institutional arrangements, involving the co-facilitators of both contact groups.

78. Subsequently, the co-facilitator of the contact group on institutional arrangements, noting that the group had completed its mandate, introduced a conference room paper containing draft proposals on institutional arrangements for the panel, evaluation of the operational effectiveness and impact of the panel, as well as annexes 1–4. She also said that proposed intersessional activities had been forwarded by the group to the contact group on intersessional work and budget for its consideration, namely giving the secretariat the mandate to develop draft text for annexes 1–4 and to develop an information document on financial arrangements for consideration by the open-ended working group at its third session.

79. The ad hoc open-ended working group agreed that the draft text on institutional arrangements for the panel, and on evaluation of the operational effectiveness and impact of the panel, as well as annexes 1–4, as set out in the conference room paper, would be used to populate sections C and D, and annexes 1–4, respectively, of the skeleton outline contained in document UNEP/SPP-CWP/OEWG.2/INF/10/Rev.1, as set out in annex II to the present report, without formal editing.

## **D. Work-related processes and procedures of the panel**

80. The Chair drew attention to document UNEP/SPP-CWP/OEWG.2/6 and related information documents UNEP/SPP-CWP/OEWG.2/INF/6, UNEP/SPP-CWP/OEWG.2/INF/7, UNEP/SPP-CWP/OEWG.2/INF/9, UNEP/SPP-CWP/OEWG.2/INF/10/Rev.1, and UNEP/SPP-CWP/OEWG.2/INF/10/Add.2.

81. She expressed the hope that greater clarity would emerge over the course of the current session with regard to the scope and functions of the panel and how it would operate, including an outline of the required institutional arrangements. The open-ended working group might wish to consider providing further guidance on the panel's work-related processes and procedures, including on processes for determining the work programme of the panel and its deliverables, such as a prioritization mechanism, arrangements for identifying and engaging with experts to contribute to the work of the panel and procedures for the review and adoption of the deliverables of the panel. She invited the representative of the secretariat to present the relevant documents.

82. In introducing the documentation, the representative of the secretariat said that the secretariat had set out several key considerations in work-related processes and procedures. Examples of relevant processes and procedures from existing science-policy interfaces had been taken into account in drafting the document. The draft text in document UNEP/SPP-CWP/OEWG.2/INF/10/Rev.1 included two annexes in which text on work-related processes and procedures could be added, namely annex 3, on the process for determining the work programme, including prioritization, and annex 4, on the procedures for the preparation and clearance of panel deliverables.

83. Key considerations in the development of work-related processes and procedures included whether there should be a fixed time frame or a rolling work programme, the process for receiving and prioritizing requests or submissions for the work programme, the criteria for the prioritization of requests and submissions, the criteria for the nomination and selection of experts, the process for the review and adoption of reports and assessments, and the financial rules and procedures.

84. One representative, speaking on behalf of a group of countries, said that the table of contents in document UNEP/SPP-CWP/OEWG.2/INF/10/Rev.1 provided a starting point for the discussion on work-related processes and procedures. She expressed the view that the processes and procedures established by the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services and by the Intergovernmental Panel on Climate Change could also guide efforts to develop the processes and procedures of the panel. Certain processes and procedures, such as the conflict-of-interest policy, should be developed prior to the establishment of the panel, while others could be finalized once the panel had been established.

85. The ad hoc open-ended working group agreed to establish a contact group on work-related processes and procedures of the panel. The contact group was mandated to start developing proposals on how to address the work-related processes and procedures of the panel, using document UNEP/SPP-CWP/OEWG.2/INF/10/Rev.1 as the starting point for its consideration and taking into account the discussion in plenary. Subsequently, the contact group was mandated to identify and consider possible intersessional work to forward to a contact group that, once established, would consider the budget and future intersessional work. The contact group would be co-facilitated by Kateřina Šebková (Czechia) and Moleboheng Petlane (Lesotho).

86. Subsequently, the co-facilitator of the contact group, noting that the group had completed its mandate, presented the outcome of the group's deliberations and said that proposed intersessional activities had been forwarded by the group to the contact group on intersessional work and budget for

its consideration. The proposed activities included further developing annexes 3 and 4, taking into account the discussions held in the contact groups and building on the draft text for proposals to establish a science-policy panel as set out in document UNEP/SPP-CWP/OEWG.2/INF/10/Rev.1, the procedure for receiving and prioritizing requests put to the panel set out in document UNEP/SPP-CWP/OEWG.2/INF/10/Add.2 and the draft flow diagram on the preparation of deliverables presented as an example by the secretariat.

87. The ad hoc open-ended working group agreed to take note of the report of the contact group on work-related processes and procedures of the panel, as set out in annex III to the present report.

88. With regard to the preparation of proposals for the establishment of a science-policy panel, the ad hoc open-ended working group agreed that a document containing the draft text proposed by the contact groups on the scope, objective and functions of the panel; on the operating principles of the panel; on the conflict-of-interest policy; on institutional arrangements for the panel; and on evaluation of the operational effectiveness and impact of the panel in the skeleton outline set out in document UNEP/SPP-CWP/OEWG.2/INF/10/Rev.1, including its annexes, would be included as an annex to the present report and as a working document for the third session of the open-ended working group. The draft text is set out in annex II to the present report, without formal editing.

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

89. Introducing the item, the Chair drew attention to document UNEP/SPP-CWP/OEWG.2/7/Rev.1, which contained an update from the secretariat on work carried out in the period between the first and second sessions of the working group, budget and expenditure and the provisional workplan.

90. A representative of the secretariat introduced the document, thanking the Governments of Austria, Belgium, Finland, France, Germany, Japan, the Kingdom of the Netherlands, Norway, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America, as well as the European Commission, for their financial contributions and pledges. She said that a further \$2,597,699 would need to be raised in order to enable the ad hoc open-ended working group to complete its work. The ad hoc open-ended working group might wish to consider the budget and expenditure of the open-ended working group; the intersessional process for the preparation of proposals for the establishment of the panel, including the development of relevant resolutions; the cost estimates for the intersessional period leading up to the third session and the period between the third session and the intergovernmental meeting; and ways of securing the additional funding needed for the working group to conclude its work within the time frame established in resolution 5/8. As part of a discussion on the provisional workplan in the lead-up to the third session, members might wish to consider the proposals made by the contact groups during the second session and the possibility of holding regional meetings, bearing in mind the short period between the second and third sessions.

91. In the ensuing discussion, one representative, speaking on behalf of a group of countries, said that greater transparency regarding the programme of work and budget would be beneficial, and work in the lead-up to the third session should address the knowledge gaps and needs identified during the current session. The Chair proposed that an informal consultation be held between the secretariat and members and other stakeholders to allow a better understanding of the proposed budget, thus improving transparency, and that the contact group, once established, would consider future intersessional work and budget, based on inputs from the other contact groups. Several representatives expressed support for the Chair's proposals, with two noting that the contact groups were well placed to identify issues to be addressed in the intersessional period, which would facilitate preparations for the third session and help ensure that the budget was used effectively. Responding to a question raised by one representative regarding the scheduling of the contact group meetings, the Chair said that priority would be given to the discussions of the contact groups addressing scope, functions, operating principles and conflict of interest, and institutional arrangements to allow them to inform subsequent discussions on work-related processes, intersessional work and the budget and vice versa to enable an iterative process.

92. The ad hoc open-ended working group agreed to establish a contact group on intersessional work and budget in advance of the third session, including based on inputs of the other contact groups, and beyond, and to convene an informal consultation with the secretariat on the budget for interested representatives. Ana Berejiani (Georgia) and Toks Akinseye (United Kingdom) would serve as co-facilitators of the contact group, and the informal consultation would be facilitated by Jinhui Li (China).

93. Noting that all the clarifications requested by members regarding the budget as set out in document UNEP/SPP-CWP/OEWG.2/7/Rev.1 had been provided by the secretariat during informal consultations, the Chair said that the budget as provided in the document would be used as the basis for discussions on the budget in the contact group on intersessional work and budget.

94. Subsequently, one representative proposed that the co-facilitators of the contact group on intersessional work and budget should request the secretariat to provide text for annexes 1–4 of document UNEP/SPP-CWP/OEWG.2/INF/10/Rev.1 to serve as the basis for informal discussions on the rules of procedure, the financial rules and procedures, the process for determining the work programme, including prioritization, and the procedures for the preparation and clearance of panel deliverables, before the third session of the ad hoc open-ended working group. The Chair suggested that the contact group could also consider preparations for the development of a resolution or decision on the establishment of the science-policy panel to be discussed at the intergovernmental meeting.

95. It was noted that, due to unforeseen circumstances, Ana Berejiani (Georgia) and Toks Akinseye (United Kingdom) had been unable to serve as co-facilitators for the contact group on intersessional work and budget. The Chair and Přemysl Štěpánek (Czechia) had therefore led discussions within the contact group.

96. Following discussions in the contact group, the co-facilitator presented the groups' recommendation to endorse the proposed budget and expenditures and introduced a conference room paper including the outcome of the group's deliberations on intersessional work.

97. The ad hoc open-ended working group endorsed the proposed budget and expenditures for the ad hoc open-ended working group process contained in document UNEP/SPP-CWP/OEWG.2/7/Rev.1 and adopted the outcome of the contact group on intersessional work. The outcome is set out in annex IV to the present report.

## VI. Provisional agenda of the third session

98. Following consultations in the Bureau, the Chair introduced a proposal for the provisional agenda for the third session of the ad hoc open-ended working group, as set out in a conference room paper. Following discussions, the ad hoc open-ended working group endorsed the provisional agenda for its third session, as set out in annex I to the present report.

## VII. Other matters

99. No other matters were considered.

## VIII. Adoption of the report of the session

100. The ad hoc open-ended working group adopted the present report on the basis of the draft report that had been circulated, on the understanding that the finalization of the report would be entrusted to the Rapporteur, working in consultation with the secretariat.

## IX. Closure of the session

101. Following the customary exchange of courtesies, the Chair said that the ad hoc open-ended working group had laid the foundations for the establishment of the panel in line with the mandate from the Environment Assembly. She cautioned against reopening at future sessions discussions on wording that had been agreed, noting that, although from a legal perspective nothing prevented such action, it could undermine the trust built during the first and second sessions of the working group. She urged participants to continue to work in a constructive spirit, building on the agreements reached; to safeguard the trust that had been built; to treat each other with respect, taking into account the needs and concerns of all members; and to stay true to the group's mandate.

102. The session was declared closed at 5.30 p.m. on Friday, 15 December 2023.

## **Annex I**

### **Provisional agenda of the third 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. Opening of the session.
2. Election of officers.
3. Adoption of the agenda and other organizational matters:
  - (a) Adoption of the agenda;
  - (b) Organizational matters.
4. Preparation of proposals for the establishment of a science-policy panel.
5. Recommendations to the Executive Director of the United Nations Environment Programme for the preparation of the intergovernmental meeting to establish the science-policy panel.
6. Other matters.
7. Adoption of the report of the session.
8. Closure of the session.

## Annex II\*

### **Proposals for the establishment of a science-policy panel: outcome 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**

#### **Preamble**

[placeholder]

#### **A. Scope, objective and functions of the panel**

1. [The objective of the Panel is to strengthen the science-policy interface to contribute to the sound management of chemicals and waste and to prevent pollution for the protection of human health and the environment, with the following functions:]

- (a) Undertaking “horizon scanning” to identify issues of relevance to policymakers and, where possible, proposing evidence-based options to address them;
- (b) Conducting assessments of current issues and identifying potential evidence-based options to address, where possible, those issues, in particular those relevant to developing countries;
- (c) Providing up-to-date and relevant information, identifying key gaps in scientific research, encouraging and supporting communication between scientists and policymakers, explaining and disseminating findings for different audiences, and raising public awareness;
- (d) Facilitating information-sharing with countries, in particular developing countries seeking relevant scientific information;
- (e) Capacity-building

*Proposal 1:* 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 assessments of the panel, 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

*Proposal 2:* 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.

#### **B. Operating principles of the panel**

2. In carrying out its work, the science-policy Panel shall be guided by the following operating principles:

- (a) Scientific independence and ensuring [consensus,] [ethics,] credibility, relevance and legitimacy including through peer review of its work, transparency [and accountability] [in its decision-making processes](del), and addressing potential conflicts of interest;
- (b) Producing deliverables that are credible[, ethical] and [scientifically](del) [sound][robust](del) [assessment process] [, as well as ensuring they are accessible by member states and relevant stakeholders] [and prevention focused];
- (c) Interdisciplinarity, ensuring contributions from experts with a broad range of disciplinary [and sectoral expertise](del) [that adhere to ethical standards];

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\* The annex is presented without formal editing.



- (d) Inclusivity of participation and forms of knowledge shared [from all relevant sources], including by Indigenous Peoples [and local communities, where appropriate] [indigenous and traditional knowledge, and [local knowledge]](del);
- (e) Having [sectorial,] geographical, regional, [and](del) [language and] gender balance;
- (f) Delivering outputs that are [prevention focused and] policy relevant without being policy prescriptive [for both the international, [regional] and national levels] [while respecting the mandates of relevant multilateral agreements and other international instruments and intergovernmental bodies], avoiding overlap and duplication of work [with other existing and future processes at the science-policy interface], and promoting coordination and cooperation;
- (g) [Flexibility, so as to be responsive to member states' needs, in particular needs of developing countries, [while still preserving the scientific and policy bases upon which it operates;]](del)
- (h) [Incorporating the precautionary approach, as stated in Principle 15 of the 1992 Rio Declaration;](del)
- (i) <sup>1</sup>[Incorporating [a human rights-based approach],[the respect and protection of human rights as a cross-cutting principle,] including [prevention-based approach] by recognizing [that the implementation of the sound management of chemicals and waste and prevention of pollution contributes to the full enjoyment of human rights and human well-being and dignity.] [the right to a clean, healthy, and sustainable environment, the right to science, [intergenerational equity,] the importance of informed participation, and](del) the need to give special attention to [those populations](del) [groups and communities] most vulnerable to adverse impacts from chemicals, waste and pollution[, including from the perspective of racial and social equality];](del)
- (i) alt Incorporating the need to give special attention to those populations most vulnerable to adverse impacts from chemicals, waste and pollution.]
- (i) alt bis Incorporating a human rights-based approach, including by recognizing that the implementation of the sound management of chemicals and waste and prevention of pollution contributes to the full enjoyment of human rights and human well-being and dignity.]
- (i) alt ter Incorporating [a human rights-based approach](del), [the respect and protection of human rights as a cross-cutting principle] including by recognizing the right to a clean, healthy, and sustainable environment, the right to science, [intergenerational equity] the importance of informed participation, and the need to give special attention to [those populations](del) [groups and communities] most vulnerable to adverse impacts from chemicals, waste and pollution [including from the perspective of racial and social equality];]
- (j) [Addressing [the prevention of](del) all forms of [existing and legacy](del) pollution[, including pollution](del) related to chemicals and waste and pollution released into the air, water [(including oceans)](del) and soil.](del)
- (k) Recognizing [the relevant socioeconomic contributions and] technical knowledge of workers, including informal workers, involved in the management of chemicals and waste, and promoting a safe and healthy work environment.
- (l) [Integrating capacity-building [and prevention focused principle] into all relevant aspects of its work.](del)
- (m) [Deliverables that are ethical, and [ensuring that] experts [that](del) adhere to [the Conflict of Interest policy including] ethical standards.](del)
- (n) Recognizing the unique scientific knowledge within and among regions and ensuring the [full](del) use of national, sub-regional and regional assessments and knowledge, as appropriate[, including a bottom-up approach](del).
- (o) Integrating gender equality [and equity](del) in all relevant aspects of its work;

## C. Institutional arrangements for the Panel

3. [The Panel is...]

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<sup>1</sup> This paragraph represents the text as negotiated in the room. Due to the divergent views and in order to more clearly identify the proposals on the table, the Co-Facilitators have provided three alternative paragraphs for consideration.

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

4. 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].

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

### [Membership]

5. 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].

5. 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

6. [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.]

6. 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].

7. [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

8. 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

9. 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

10. 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]].

11. [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.<sup>2</sup>]

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

12. 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]

<sup>2</sup> 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.

### Functions

13. 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

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

#### Membership of the Interdisciplinary Expert Committee

15. 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].<sup>3</sup>
16. 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.<sup>4</sup>
17. 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.
18. [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 Committee meetings. The representatives of non-governmental participants are elected by and from non-governmental participants engaged in the work of the Panel.<sup>5</sup> ]
19. [Members of the Bureau, representatives of other relevant science-policy interfaces [(including the Intergovernmental Panel on Climate Change and the Intergovernmental Science-Policy Platform

<sup>3</sup> 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.

<sup>4</sup> 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.

<sup>5</sup> 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.

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**

20. 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]**

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

### **Membership of the Policy Committee**

- 22. The Policy Committee comprises an equal number of members from each of the regions of the institution hosting the Secretariat.
- 23. 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.
- 24. Policy Committee members are selected for their policy expertise and knowledge of the main elements of the work of the Panel.
- 25. 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.

### **Functions of the Policy Committee**

26. 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

27. [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]]

28. [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.

28. bis [establishing a socioeconomic subsidiary body]

28. ter [establishing a non-prescriptive policy recommendation body]

## IV. Secretariat

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

29. 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 stakeholders 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.
30. 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

31. 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].
31. 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.]
32. 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]:
32. 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]
- (d) will come without conditionalities;
  - (e) will not orient the work of the Panel;
  - (f) cannot be earmarked for specific activities.
32. 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]
33. 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].
34. The [Plenary] [the Governing Body of the Panel] regularly reviews Panel expenditures and budget proposals, and adopts budgets [for the Panel].
35. [The Bureau regularly reviews budget information prepared by the Secretariat.]
36. 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.

36. 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

37. 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].]

38. 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.

38. alt [the [Panel][Governing Body] may mandate the Secretariat to engage potential strategic partnerships as it relates to their contribution to the identified work programme]

39. 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.

40. [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]

41. [[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

42. 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]



## [Annexes<sup>1</sup>

### **Annex 1. Rules of procedure [of the Panel]<sup>2</sup>**

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

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<sup>1</sup> The following “annexes” need to be considered in terms of substance and their placement in the context of the ongoing process of the ad hoc open-ended working group, including in relation to the intergovernmental meeting and potentially the Panel’s plenary sessions.

<sup>2</sup> This table of contents is also introduced in document UNEP/SPP-CWP/OEWG.2/4.

## **Annex 4. Procedures for the preparation and clearance of Panel deliverables<sup>3</sup>**

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 clearance<sup>4</sup> 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**

### **A. Purpose of the Conflict-of-Interest Policy**

1. The objective of the Science-Policy Panel ('the Panel') as stated in [paragraph 1 of the "Functions, operating principles and institutional arrangements of the Panel" in the Agreement and

<sup>3</sup> Further information on procedures for the preparation and clearance of Panel deliverables is available in document UNEP/SPP-CWP/OEWG.2/6.

<sup>4</sup> For assessments, clearance includes acceptance, adoption and approval.

Rules of Procedure] is to strengthen the science-policy interface to contribute to the sound management of chemicals and waste and to prevent pollution for the protection of human health and the environment. According to the operating principles of the Panel, in carrying out its work, the Panel and the supporting subsidiary bodies must be scientifically independent and ensure credibility, relevance and legitimacy through its work and transparency in its decision-making processes and use clear, transparent and scientifically credible processes for the exchange, sharing and use of data, information and technologies from all relevant sources, including peer-reviewed and non-peer-reviewed literature, as appropriate, [alongside other reliable sources, to ensure a comprehensive, and robust assessment process](del). The outputs of the Panel should be policy relevant without being policy prescriptive [neutral with respect to policy](del), [although they may need to deal objectively with scientific, technical and socio-economic factors relevant to the application of particular policies].

2. The role of the Panel requires that it pays special attention to issues of independence and bias in order to maintain the integrity of, and public confidence in, its outputs and processes. It is essential that the work of the Panel is not compromised by any conflict of interest for those who execute it.

3. The overall purpose of this policy is to protect the legitimacy, integrity, trust, and credibility of the Panel and its deliverables as well as confidence in its activities and in individuals who are directly involved in the preparation of its reports and other deliverables. This policy does not provide an exhaustive list of criteria for the identification of conflicts of interest. It can be amended by the Plenary as part of the functions vested in the [Plenary] in the [Agreement and the Rules of Procedure].

4. The Panel recognizes the commitment and dedication of those who participate in its activities and the need to maintain a balance between minimising the reporting burden, and ensuring the integrity of the Panel and its deliverables. In this way, this policy seeks to encourage participation and to ensure that the representativeness and geographic, regional, and gender balance of the panel is not impaired,] while continuing to build and maintain public trust.

5. This Conflict-of-Interest Policy is designed to ensure that [potential](del) conflicts of interest are identified, communicated to the Committee on Conflicts of Interest, and managed to avoid any adverse impact on the Panel's independence, [quality of](del) outputs and processes, thereby protecting the person or persons concerned, the Panel, and the public interest. [Any duly reasoned request relating to a potential conflict of interest may be sent to the [Bureau].](del)

6. It is essential to avoid a situation in which a reasonable person could question, discount or dismiss the work of the Panel owing to the perception of a conflict of interest. It is recognized that the privacy and professional reputation of individuals must be respected. Identifying a potential conflict of interest does not automatically mean that a conflict of interest exists.

## **B. Scope of the Conflict-of-Interest Policy**

7. This policy applies to [the senior leadership of the Panel, [namely.]](del) members of the Bureau of the Panel, [committees] and any subsidiary bodies contributing to the development of deliverables, [to experts contributing to the activities of the Panel such as](del) authors with responsibility for report content (including report co-chairs, coordinating lead authors and lead authors), [and review editors](del); and to professional non-United Nations staff supporting the Panel's work.

8. [The policy applies to the development of all Panel products and deliverables, including but not limited to: horizon scanning products; assessment reports; special reports; methodology reports, and technical papers [and policy briefs.]](del)

9. [The professional staff members of the Panel Secretariat who are employees of [the United Nations] are subject to the United Nations disclosure and ethics policies, as well as code of conduct, which include conflict of interest.]

10. [The policy will be executed to reflect the various roles, responsibilities and levels of authority, of participants in the Panel process. In particular, consideration should be given to whether responsibility is held at an individual level or shared within a team and to the level of influence held over the content of the Panel's deliverables.](del)

11. The application of the Conflict-of-Interest Policy to persons elected to or selected for positions within the Panel should reflect their specific responsibilities.

## C. Conflict of Interest

12. A “conflict of interest” refers to a[ny current, or previous](del) professional, financial or other interest [from the past four years](del) which could:

- (a) significantly impair the individual’s objectivity in carrying out his or her duties and responsibilities for the Panel, or
- (b) create an unfair advantage for any person or organization.

For the purposes of this policy, circumstances that could lead a reasonable person to question an individual’s objectivity, or whether an unfair advantage has been created, constitute a potential conflict of interest. These potential conflicts are subject to disclosure.

13. A distinction is made between “conflict of interest” and “bias,” which refers to a point of view or perspective that is strongly held regarding a particular issue or set of issues. In the case of author and review teams, bias can and should be managed through the selection of a balance of perspectives. Bias can also be managed through other means, including a rigorous peer review. For example, it is expected that Panel author teams will include individuals with different perspectives and affiliations. Those involved in selecting authors will need to strive for an author team composition that reflects a balance of expertise and perspectives, such that Panel products are comprehensive, objective, and neutral with respect to policy. In selecting these individuals, care must be taken to ensure that biases can be balanced where they exist. In contrast, conflict of interest exists where an individual, or an organization, could secure a direct and material gain through outcomes of a Panel process. Holding a view that one believes to be correct, but that one does not stand to gain from does not necessarily constitute a conflict of interest but may be a bias.

14. The conflict-of-interest requirements in this policy are not designed to include an assessment of one’s behaviour or character or one’s ability to act objectively despite the conflict of interest.

15. [This policy applies only to current conflicts of interest. It does not apply to past interests that have expired, no longer exist, and cannot reasonably affect current behaviour.] Nor does it apply to possible interests that may arise in the future but that do not currently exist, as such interests are inherently speculative and uncertain. For example, a pending application for a particular job is a current interest, but the mere possibility that one might apply for such a job in the future is not a current interest.

16. [All ]Professional and other non-financial interests need to be disclosed [only if they are significant and relevant](del). If in doubt about whether an interest should be disclosed, individuals are encouraged to seek advice from the appropriate Panel body as defined in Annex A [Committee on Conflicts of Interest]. Significant and relevant interests may include, but are not limited to consulting relationship, advisory committees associated with private sector organizations, [senior editorial roles](del) and memberships on boards of non-profit or advocacy groups. [Significant and relevant interests may also include those relevant interests of parties with whom an expert has a current contractual relationship or substantial common interests and which could be perceived as unduly influencing, or likely to unduly influence, the expert’s judgement (for example their employer(s), close professional associates, their administrative unit or department, sponsoring or funding entities).](del) [Significant and relevant interests may include but are not limited to membership of advisory committees associated with private sector organizations, and of the boards of non-profit or advocacy groups.]

17. Financial interests need to be disclosed [only if they are significant and relevant](del) . These may include, but are not limited to, the following kinds of financial interests: employment relationships; consulting relationships; financial investments; intellectual property interests; commercial interests, and sources of research support. Individuals should also disclose significant and relevant financial interests of any person with whom the individual has a substantial business or relevant shared interest. If in doubt about whether an interest should be disclosed, individuals are encouraged to seek advice from the appropriate Panel body as defined in Annex A [Committee on Conflicts of Interest]. [In its determination whether a potential conflict of interest may negatively impact the Panel’s legitimacy, integrity or credibility, or that of its deliverables, or the confidence in its activities, the committee shall take into consideration the significance and relevance of the financial interests disclosed.]

18. To prevent situations in which a conflict of interest may arise, individuals directly involved in the preparation of Panel deliverables should avoid being in a position to clear (approve, adopt, or accept) on behalf of any government the text in which they were directly involved.

## Appendix A

This appendix sets out the procedures for implementing the Conflict-of-Interest Policy (“the COI Policy”) for the Science-Policy Panel (‘the Panel’) which is contained in [XX] adopted by the Panel at its first session.

### Implementation Procedures

1. These Implementation Procedures are designed to ensure that conflicts of interest are identified, communicated to the relevant parties and managed to avoid any adverse impact on the Panel and its deliverables and processes and also to protect the person or persons concerned and the public interest.
2. These Implementation Procedures apply to all [potential](del) conflicts of interest as defined in paragraph 12 of the COI Policy and apply to the individuals listed in paragraph 7 of that policy. Compliance with the COI Policy and Implementation Procedures is mandatory. An individual [to whom the COI policy applies](del) cannot participate in the Panel’s work where he or she has not complied with the COI Policy and Implementation Procedures. Where a conflict of interest is identified, a person may only proceed to participate in Panel activities if action is undertaken that resolves the conflict or the individual is a Panel author subject to the provisions in paragraph 6 of these procedures.

### Bureau and [Interdisciplinary Expert] Committee members: Review process prior to appointment

3. The Conflict of Interest Disclosure Form (“the COI Form”) contained in Annex B to the COI Policy will be submitted to the Secretariat in respect of each nominee for election to the Bureau or [Interdisciplinary Expert Committee (IEC)] of the Panel. The COI Committee<sup>1</sup> (composed of six members from the Bureau and six members from the IEC and two additional members with appropriate legal expertise from [relevant United Nations entity] appointed by that organization) will review the COI Forms. Where the COI Committee determines that a nominee for Bureau membership has a conflict of interest that cannot be resolved, the individual will not be eligible for election to the Bureau. The process above will also apply in respect of candidates for election to the Bureau or IEC who are nominated during the course of the Panel plenary session during which the relevant election is due to be held.

### Bureau and [Interdisciplinary Expert] Committee members: Review process after appointment

4. All members of the Bureau and the [Interdisciplinary Expert Committee] members will inform the Secretariat annually of any changes in the information provided in their previously submitted COI Form. The COI Committee will review the updated information, determine whether the relevant member has a conflict of interest that cannot be resolved and determine what further action is necessary in accordance with the COI Policy.

### Other roles subject to COI Policy: Review process prior to appointment

5. Before an individual is appointed to a role subject to the COI Policy in accordance with paragraph 7 of the Policy, the Secretariat will request the individual to complete a [COI Form]. Before an expert can take on the role in question, the COI Committee will evaluate the form to determine whether the individual has a conflict of interest that cannot be resolved.
6. In exceptional circumstances, a conflict of interest on the part of a Panel expert which cannot be resolved may be tolerated where the individual is deemed to provide a unique contribution to a Panel deliverable and where it is determined that the conflict can be managed such that it will not have an adverse impact on the relevant Panel deliverable. In such cases, the COI Committee will publicly disclose the conflict and the reasons for determining that the individual may continue to contribute to the Panel’s work in spite of the conflict.

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<sup>1</sup> When the panel is first established, an interim committee will be necessary for reviewing the [COI forms] of nominees to the Bureau and IEC.

### **Other roles subject to COI Policy: Review process after appointment**

7. Experts in those other roles subject to the COI Policy will inform the Secretariat annually of any changes in the information provided in their previously submitted [COI Form]. The COI Committee will evaluate the revised information in accordance with the procedure for reviewing conflicts of interest issues prior to appointment.
7. bis [Notwithstanding paragraphs [3 and 5] an individual may decline to disclose information related to activities, interests and funding where its disclosure would adversely and materially affect:
- (a) Defense, national security or imminent public safety;
  - (b) The course of justice in prospective or current court cases;
  - (c) The ability to assign future intellectual property rights; or
  - (d) The confidentiality of commercial, government, or industrial information.]
7. ter [Members who decline to disclose information under paragraph 7. bis must declare that they are doing so in their disclosure of interest under paragraphs [X] or [X] and must be completely excluded from discussions and decisions on related topics.]

### **Principles for Considering Conflict of Interest Issues**

8. The COI Committee should consult the relevant individual where the body has concerns about a potential conflict of interest and/or where it requires clarification of any matters arising out of a [COI Form] and should ensure that the relevant individuals and, where appropriate the Panel member which nominated the relevant individual, have an opportunity to discuss any concerns about a potential conflict of interest.
9. Where the COI Committee has determined that an individual has a conflict of interest that cannot be resolved, the relevant individual may request the Panel Bureau to review the COI Committee's determination. The Panel Bureau will review the determination at the first session following the request. The individual will be bound by the determination of the COI Committee pending the outcome of the review.
10. When considering whether an individual has a conflict of interest, the COI Committee will, in consultation with the individual, explore options for resolving the conflict. Individuals might, for example, resolve a conflict of interest by divesting themselves of the particular financial or other interests which gave rise to the potential conflict or by recusing themselves from discussions or decision-making processes in respect of which they have a relevant conflict. [In case where the conflict of interest cannot be resolved, the COI committee shall make a recommendation to protect the legitimacy, integrity, trust and credibility of the panel and its deliverables, and public confidence in, its outputs and processes, to the appropriate decision making committee.]
11. Members of the COI Committee may not consider cases involving themselves and will recuse themselves in the event that the Committee considers a potential conflict of interest concerning themselves.

### **Processing and Storage of Information**

12. All [COI Forms] will be submitted to the Secretariat.
13. All [COI Forms] and any records of the deliberations and/or decisions of the COI Committee in relation to conflict of interest issues in respect of specific individuals and any information disclosed by individuals for the purposes of the COI Policy will be transferred to the Secretariat after they have been reviewed and will be securely archived by the Secretariat and retained for a period of five years after completion of their term or completion of the deliverable to which the relevant individual contributed, after which the information will be destroyed. Subject to the requirement to notify the existence of a conflict of interest to others under paragraph 6 above, the information referred to above will be considered confidential and will not be used for any purpose other than consideration of conflict-of-interest issues under these Implementation Procedures without the express consent of the individual providing the information.

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## **The COI Committee**

14. A Committee on Conflicts of Interest (“the COI Committee”) will be established for the purpose of reviewing [COI forms] and determining whether those participating in the Panel and subject to the COI policy have conflicts of interest.
15. The COI Committee will comprise of six members from the Bureau and six members from the IEC and two additional members with appropriate legal expertise from [United Nations entity] , appointed by that organization.
16. The COI Committee will elect a Chair at its first meeting.
17. The members of the COI Committee are expected to reach consensus. If, exceptionally on matters of particular urgency, consensus is not possible, the COI Committee Chair may take the final decision, having regard to the weight of opinion in the COI Committee. The Committee will decide upon its method of working and apply it on an interim basis until the Panel plenary agrees it.
18. The COI Committee should submit a report on its activities to the Panel plenary at least four weeks before each session. Issues of confidentiality will be addressed by the COI Committee as early as possible.
19. The COI Committee may meet by teleconference and conduct its work by electronic means. If a physical meeting is needed, it will be held before or after regular Bureau meetings.

## Appendix B

### CONFLICT OF INTEREST DISCLOSURE FORM (“COI FORM”) FOR THE SCIENCE-POLICY PANEL

#### CONFIDENTIAL

NAME:

ADDRESS:

E-MAIL ADDRESS:

TELEPHONE:

CURRENT EMPLOYER:

FUNCTION/ROLE IN THE SCIENCE-POLICY PANEL:

NOTE: You have been invited to serve on the Science-Policy Panel (‘the Panel’) because of your professional standing and expertise. As outlined in the Panel Conflict of Interest Policy, the objective of the Panel demands that it pays special attention to issues of independence and potential bias in order to maintain the integrity of, and public confidence in, its deliverables and processes. It is essential that the work of the Panel is not compromised by any conflict of interest for those who execute it. In view of this, disclosure of certain circumstances is necessary to ensure that the work of the Panel is not compromised by conflicts of interest. In filling out this form, therefore, we rely on your professionalism, common sense, and honesty.

These arrangements and disclosure of interests are required as a matter of due diligence, to ensure appropriate assurance for the Panel in matters of conflict of interest, professional and scientific integrity, and to protect the Panel and participants from reputational risk.

This declaration of interests, and disclosure of conflicts of interest or potential conflicts of interest, is required under the Panel Conflict of Interest Policy and Implementation Procedures.

You should disclose interests that could:

(a) significantly impair your objectivity in carrying out your duties and responsibilities for the Panel

or

(b) create an unfair advantage for you or any person or organization;

and which could result in your securing a direct and material gain through outcomes in a Panel process.

For the purposes of this policy, circumstances that could lead a reasonable person to question your objectivity, or whether an unfair advantage has been created, constitute a potential conflict of interest and should be disclosed in this form.

You must also declare any relevant interests of parties with whom you have current contractual relationships or substantial common interests and which could be perceived as unduly influencing, or likely to unduly influence, your judgement (for example your employer(s), close professional associates, your administrative unit or department, sponsoring or funding entities).

A brief description of details should be provided in relation to any question below. You should aim to provide sufficient and explicit information to allow the Panel to form a view on whether the circumstances disclosed give rise to an actual or potential conflict of interest. If in doubt about whether an interest should be disclosed, individuals are encouraged to disclose that information.

Please sign and date this form on the last page and return the form to the Secretariat of the Panel with a Curriculum Vitae and information supporting these disclosures where applicable. Retain a copy for your records.

You must promptly inform the Panel Secretariat if there is any change in this information prior to or during the course of your work or meetings for the Panel. This form and the declarations contained therein must be completed before participation in the Panel activity can be confirmed.



Answering “Yes” to a question on this form does not necessarily mean that a conflict is present or that you will be unable to perform your designated function/role in the Panel. If in doubt about whether an interest should be disclosed, individuals are encouraged to disclose that information. This information will be assessed as a whole on the basis of the principles contained in the COI Policy (URL). In particular, what constitutes or not a COI is defined in paragraphs 12 to 18 of that document (reproduced below). If in doubt about whether an interest should be disclosed, individuals are encouraged to seek advice from the Panel Secretariat

Definition of “Conflict of Interest” (paragraphs 12 to 18 of the Panel COI Policy (URL)).

[to paste in paragraphs 12 to 18 of the Panel Conflict of Interest Policy]

## PART I. COMMERCIAL AND FINANCIAL INTERESTS

<b>1</b>	Do you hold any position or appointment, or any business or professional relationships with other bodies related to science on chemicals, waste and the prevention of pollution?	<b>Yes</b>	<b>No</b>
	<b>Details:</b>		
<b>2</b>	Do you receive any remuneration from a commercial entity or other organization with an interest related to the subject of the Panel work in which you are engaged?		
	- Employment or consulting, including services as a technical or other adviser	<b>Yes</b>	<b>No</b>
	<b>Details:</b>		
<b>3</b>	Do you receive financial support from any commercial entity or other organization with an interest related to the subject of the Panel work (for example a government agency)?		
<b>3a</b>	- Research support, including grants, collaborations, sponsorships, other funding	<b>Yes</b>	<b>No</b>
	<b>Details:</b>		
<b>3b</b>	- Support, including honoraria, for being on a speakers’ panel, giving speeches or training for a commercial entity or other organization with an interest related to the subject of the Panel work?	<b>Yes</b>	<b>No</b>
	<b>Details:</b>		
<b>4</b>	Do you have investments in any commercial entity with an interest related to the subject of the Panel work? (Please also include indirect investments such as a trust or holding company. You may exclude mutual funds, pension funds or similar investments that are broadly diversified and over which you exercise no control.)		
<b>4a</b>	- Stocks, bonds, stock options, other securities (e.g., short sales)	<b>Yes</b>	<b>No</b>
	<b>Details:</b>		
<b>4b</b>	- Commercial business interests (e.g., ownership, partnerships, joint ventures, board memberships, controlling interests)	<b>Yes</b>	<b>No</b>
	<b>Details:</b>		
<b>5</b>	Do you own any intellectual property rights that might be affected by the Panel work?		
<b>5a</b>	- Patents, trademarks or commercial copyrights (including pending applications)	<b>Yes</b>	<b>No</b>
	<b>Details:</b>		
<b>5b</b>	- Proprietary knowledge in a technology or process being used for commercial purposes	<b>Yes</b>	<b>No</b>
	<b>Details:</b>		

6	Do you hold any financial interests in excess of US\$10,000 per year which outside parties could consider might represent or give rise to a conflict of interest, or the perception of a conflict of interest with regard to your Panel service?	Yes	No
	Details:		
7	As part of a regulatory, legislative or judicial process, are you providing any expert opinion or testimony, related to the subject of the Panel work, for a commercial entity or other organization?	Yes	No
	Details:		

## PART II. PROFESSIONAL AND OTHER NON-FINANCIAL INTERESTS

8	Do you hold any position or appointment, or any business or professional relationships with other bodies related to science on chemicals, waste and the prevention of pollution?	Yes	No
	Details:		
9	Do you receive non-financial support from any commercial entity or other organization with an interest related to the subject of the Panel work (for example a government agency)?		
9a	- Non-financial support valued collectively in excess of US\$10,000 per year (premises, equipment, facilities, assistants, paid travel, etc.)	Yes	No
	Details:		
10	As part of a regulatory, legislative or judicial process, are you providing any expert opinion or testimony, related to the subject of the Panel work, for a commercial entity or other organization?	Yes	No
	Details:		
11	Are you engaged in any professional or other activities which outside parties could consider might represent or give rise to a conflict of interest, or the perception of a conflict of interest with regard to your Panel service?	Yes	No
	Details:		
	Are you involved in any:		
11a	- Official function in a government agency or international organization?	Yes	No
	Details:		
11b	- Advisory committee associated with a public or private sector organization?	Yes	No
	Details:		
11c	- Senior editorial role or assignment?	Yes	No
	Details:		
	Are you a:		
11d	- Board member of a public or private sector organization?	Yes	No
	Details:		
11e	- Board member of a non-profit organization?	Yes	No
	Details:		

<b>11f</b>	- Board member of an advocacy group?	<b>Yes</b>	<b>No</b>
	<b>Details:</b>		

### PART III. ADDITIONAL INFORMATION

<b>12</b>	If not already disclosed above, are you aware of any aspect of your work for the Panel that will enable you to obtain access to proprietary information or create for you a competitive advantage in your professional, financial or business dealings?	<b>Yes</b>	<b>No</b>
	<b>Details:</b>		
<b>13</b>	To your knowledge, could the outcome of your work for the Panel adversely affect the interests of any other persons or entities with whom you have substantial common personal, professional, financial or business interests (such as your adult children or siblings, close professional colleagues, administrative unit or department)?	<b>Yes</b>	<b>No</b>
	<b>Details:</b>		
<b>14</b>	Which organisation is covering, partly or in full, your Panel-related travel costs?		
	<b>Details:</b>		
<b>15</b>	Are you receiving any payments (other than for travel costs) or honoraria for speaking publicly on the subject of the Panel work in which you are engaged?	<b>Yes</b>	<b>No</b>
	<b>Details:</b>		
<b>16</b>	Is there any other aspect of your background or present circumstances not addressed above that you consider might be perceived as affecting your objectivity or independence?	<b>Yes</b>	<b>No</b>
	<b>Details:</b>		

## Annex III

### **Submission by the co-facilitators of the contact group on work-related processes and procedures of the panel (contact group 3)**

#### **Summary of discussions held on 14 December 2023**

##### **Introduction**

1. The contact group on work-related processes and procedures of the panel held two meetings on 14 December 2023 to discuss the work-related processes and procedures. The group 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 group conducted an initial exchange of views on those topics, including with respect to the intersessional work to be done in the lead up to the third 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, noting the request from the contact group on institutional arrangements (contact group 2) for the secretariat to develop draft text for annexes 1 to 4 to the draft text set out in the annex to document UNEP/SPP-CWP/OEWG.2/INF/10/Rev.1.

2. During the first meeting, the contact group held an initial exchange of views on the work-related processes and procedures as outlined in annexes 3 and 4 to the draft text in document UNEP/SPP-CWP/OEWG.2/INF/10/Rev.1, and the procedure for receiving and prioritizing requests put to the panel, taking into account document UNEP/SPP-CWP/OEWG.2/INF/10/Add.2. The secretariat was also invited to present a draft flow chart diagram illustrating the steps and process for the development of larger assessment outputs. The second meeting was focused on the identification and engagement of experts and on the procedures for determining the work programme.

##### **A. Deliverables of the panel**

3. The co-facilitators 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 meeting, views had been expressed, among other things, on the need for deliverables to be flexible, not prescriptive, and determined by the panel according to identified needs. The group was informed that the deliverables could include, but not be limited to, reports, assessments, capacity-building activities among others.

##### **B. Process for the review and adoption of deliverables**

4. On the process for the review and adoption of deliverables, the discussion revolved around annex 4 to the draft text as set out in the annex to document UNEP/SPP-CWP/OEWG.2/INF/10/Rev.1. It was recognized that those processes might depend on the types of deliverables being considered, and that the steps might not all be relevant for all deliverables. It was highlighted that the draft flow chart on workflow produced by the secretariat might be more appropriate for deliverables such as reports and assessments, and less so for deliverables under other functions such as capacity-building. Nevertheless, it illustrated well all the individual stages of the workflow.

5. There were also questions about the timelines envisioned for different deliverables, especially considering the number of times the workflow in the diagram provided by the secretariat would require sessions of the plenary of the panel to be held. In concluding the briefing on the workflow overview, the representative of the secretariat proposed that the review process could be administered by the secretariat under the guidance of the interdisciplinary expert committee.

6. In further discussing the review and adoption of deliverables, calls were made for the procedure to be transparent, as well as for ensuring alignment with the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) and the Intergovernmental Panel on Climate Change (IPCC), allowing for joint activities across different science-policy interfaces, and for both Governments and scientists to be involved in the initial review of deliverables. It was further emphasized that the review process needed to be simple but rigorous enough to ensure participation, as well as credibility, while avoiding overburdening experts. The views were also expressed that

Governments should be included at all stages of the workflow and that a capacity-building function be included to ensure uptake of the outcomes of the work programme at all levels.

7. The group expressed the hope that additional flow charts would be developed for other potential deliverables reflecting the current institutional arrangements as discussed in contact group 2, including an expected timeline to cover their preparation and endorsement. The need for a rolling programme of work was suggested as a means to ensure flexibility. Some participants noted that the endorsement of experts should not be the responsibility of the governing body of the panel, which should nevertheless endorse the relevant terms of reference. Regarding intersessional work and the preparation of the text, there was agreement that the outline in annex 4 to the draft text set out in the annex to document UNEP/SPP-CWP/OEWG.2/INF/10/Rev.1 and the diagram provided by the secretariat presented a basis for further discussion.

8. In the initial exchange of views, the contact group also heard that it was important to develop section 1, on definitions, of annex 4 to clarify what was being discussed.

9. Regarding the procedures for the preparation of panel deliverables set out in section 2 of annex 4, the group expressed a desire to have the items listed in line with, and reflecting the wording in, resolution 5/8 of the United Nations Environment Assembly of the United Nations Environment Programme. It was further noted that the content of subsections currently listed in section 2 of annex 4 was closely interlinked with issues under discussion in the contact group on the scope, functions and operating principles of the panel (contact group 1) and contact group 2, and that a draft text, to be produced by the secretariat intersessionally, would need to take that into account. Participants expressed the view that the secretariat should ensure the alignment of the procedures with the outcome of the discussions held in the two other contact groups.

10. Regarding section 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 provide overarching procedures for all the functions. Concluding the discussion, the group decided to give the secretariat flexibility in the drafting of proposals for the section to reflect the group's desire to include the outcomes from other discussions held during the week of the second session of the ad hoc open-ended working group and reflect on available procedures under IPBES and IPCC.

11. On section 3 on procedures for clearance of panel deliverables, it was highlighted that relevant text could be drawn from IPBES and IPCC. The contact group heard calls for "procedures for languages and translation" to be included as an additional section 8 under annex 4 to ensure inclusivity and broaden engagement. Error protocols, as well as guidance on diverging views, were also suggested, with IPCC cited as a good model in that regard.

12. In moving forward, the contact group decided to give the secretariat flexibility in the drafting of annex 4, especially for the procedures under section 2, taking into account the discussion in and views expressed across the contact groups and drawing on agreed language in, and the experiences of, IPCC and IPBES, if possible. The group also heard an invitation to identify the elements that needed to be put in place in order for the panel, once established, to initiate its work as opposed to those that would be needed at a later stage.

### **C. Identification and engagement of experts**

13. The contact group moved on to discuss the identification and engagement of experts to be involved in the work of the panel. The group heard that the expertise needed would depend on the deliverables determined in the programmes of work. There was divergence of opinion regarding the extent to which experts should be defined by stakeholders or non-governmental organizations, and whether the possibility of making 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 the identification of experts under the Persistent Organic Pollutants Review Committee as an example of how such processes could work.

14. On the types of expertise required, there was consensus on the need for interdisciplinary expertise across the sciences. The need to include 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 made regarding the types of expertise required. It was stated that the panel would require expertise from academia, policy and industry, as well as robust and transparent conflict of interest procedures. Several representatives emphasized the need for balance across regions, expertise and genders, as well as for ensuring that the procedure for identifying experts was transparent and inclusive in order to ensure the credibility, relevance and legitimacy of the panel and its deliverables.

**D. Determining the work programme**

15. Overall, on the procedure for prioritizing requests put to the panel, document UNEP/SPP-CWP/OEWG.2/INF/10/Add.2 was considered a starting point, although concern was expressed that the document could not be fully elaborated until the institutional arrangements of the panel were determined. The contact group heard a call for the document to be updated to reflect the discussions in the two other contact groups. There was consensus that the wording in paragraph 6 on the information to accompany requests to the panel needed to be simplified and allow greater flexibility, preventing potential submissions from being lost due to limiting requirements, and ensure inclusivity. One representative recommended that the IPBES list be used as a starting point.

16. There was support for acceptance by the panel of submissions from a broad range of entities and for the prioritization process to be transparent, such as with the posting of submissions online. In that regard, participants said 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.

17. One participant sought clarification of the wording used in the annex to document UNEP/SPP-CWP/OEWG.2/INF/10/Add.2, 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 the prevention of pollution and of “inputs and suggestions” by other types of stakeholders. The secretariat clarified that the distinction was solely intended to distinguish between the sources of proposals, drawing on experience from IPBES. One member requested that prioritization should be considered equally from a scientific and a policy perspective, and called for the next iteration of the document to include a dual process whereby prioritization would be carried out both by the interdisciplinary expert committee and a policy committee. The need for scientific assessment to be set as a priority was highlighted.

**E. Intersessional work in the lead up to the third session of the ad hoc open-ended working group**

18. Owing to time constraints, the group was unable to provide further views and clarifications on determining the work programme of the panel for the third session of the ad hoc open-ended working group, but a desire was expressed for text to be developed for consideration at that session. The contact group conveyed to the contact group on intersessional work (contact group 4) the need to move forward in further developing annexes 3 and 4 in order to finalize the work of the ad hoc open-ended working group, taking into account the discussions held in the contact groups and building on documents UNEP/SPP-CWP/OEWG.2/INF/10/Rev.1 and UNEP/SPP-CWP/OEWG.2/INF/10/Add.2, as well as the draft diagram prepared by the secretariat.

## Annex IV\*

### Outcome of the work of contact group 4 on intersessional work and budget

Request the secretariat, for consideration at the third session of the ad hoc open-ended working group, to:

1. Prepare draft texts, for consideration by the ad hoc open-ended working group at its third session, for:
  - (a) Annex 1, taking into account existing rules and procedures of the Intergovernmental Panel on Climate Change, the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services and the United Nations Environment Assembly;
  - (b) Annex 2;
  - (c) Annex 3;
  - (d) 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;<sup>1</sup>
2. Update document UNEP/SPP-CWP/OEWG.2/INF/10/Add.2 based on the views expressed in contact groups 2 and 3;
3. Prepare proposals to be considered by the intergovernmental meeting for the purpose of considering establishing a science-policy panel, for consideration by the ad hoc open-ended working group at its third session;
4. Prepare proposals on interim arrangements, for consideration by the ad hoc open-ended working group at its third session, for consideration and possible approval at the intergovernmental meeting;
5. Prepare a relevant information document to facilitate the understanding of the working document requested on financial arrangements;
6. In preparation for the third session of the ad hoc open-ended working group, prepare proposals for a revised conflict of interest form based on the discussions at the second session of the ad hoc open-ended working group;
7. Prepare, in consultation with the Bureau, timely webinars on:
  - (a) The capacity-building function of the panel, and submit a summary of the views expressed for the information of the ad hoc open-ended working group at its third session;
  - (b) The documentation prepared by the secretariat for the third session of the ad hoc open-ended working group;
8. Facilitate regional consultations ahead of the third session of the ad hoc open-ended working group.

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\* The annex is presented without formal editing.

<sup>1</sup> The working titles in [ref. to the annex to be included in the report of OEWG2] of the annexes listed in paragraphs 1 (a)-(d) of the present annex are: annex 1. [Rules of procedure]; annex 2. [Financial rules and procedures]; annex 3. [Process for determining the work programme, including prioritization]; and annex 4. [Procedures for the preparation and clearance of panel deliverables].