

## Science-Policy Panel for Chemicals, Waste, and Pollution OEWG 2 Highlights: Tuesday, 12 December 2023

Delegates at the second meeting 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 (OEWG-2 SPP) listened to progress reports on the work of Monday evening's contact and informal groups, and elected two Bureau vice-chairs from the Group of Eastern European States (EEG) by secret ballot. Over lunch and in the evening, Contact Group 1 continued its work on operating principles and a conflict of interest (CoI) policy, and Contact Group 2 resumed deliberations on institutional arrangements.

### *Preparation of Proposals for the Establishment of a Science-Policy Panel*

OEWG SPP Chair Gudi Alkemade (the Netherlands) opened the session, inviting Co-Facilitators of the contact groups that met on Monday evening to report back to plenary.

Co-Facilitator Sam Adu-Kumi (Ghana) reported on the work of Contact Group 1 on scope, objectives, functions, operating principles, and CoI. He noted that the group addressed operating principles contained in the draft text for proposals to establish a science-policy panel (UNEP/SPP-CWP/OEWG.2/INF/10/Rev.1), focusing on missing elements and making relevant suggestions. He added that the contact group also addressed the document containing the proposal for a CoI policy (UNEP/SPP-CWP/OEWG.2/INF/10/Add.1). SIERRA LEONE underscored the importance of developing a CoI policy.

Contact Group 2 Co-Facilitator Judith Torres (Uruguay) reported on work on institutional arrangements, noting that the group went through each relevant section of the draft text for proposals, listening to general comments. She said delegates then focused on the draft text on the functioning of the SPP plenary, with some requesting further explanations by the Secretariat on the bodies that will make up the institutional arrangements.

Spain, on behalf of the EU, and BRAZIL requested clarifications on how suggestions on the establishment of new committees as subsidiary bodies, not included in the draft text for proposals, will be taken up moving forward. BRAZIL further stressed that the draft text for proposals is a good starting point, but it is open for additions, deletions, or amendments. SAUDI ARABIA queried how work on the SPP's scope under Contact Group 1 will be tackled by Contact Group 2, given the interdependence of scope and institutional arrangements.

LIBERIA urged integrating policymakers into the institutional arrangements to allow clear communication of the SPP's messages.

Chair Alkemade and Co-Facilitator Torres provided the necessary clarifications, confirming that the negotiating text is

open for modifications and explaining how proposals for new subsidiary bodies will be addressed. They further confirmed that the development of the text follows an iterative process, underscoring that there will be adequate time to address links in the discussions under different contact groups.

Chair Alkemade highlighted progress, thanking delegates for their hard work. Noting that both contact groups require more time to finalize considerations, she said deliberations will continue.

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

Co-Facilitator Jinhui Li (China) reported on the informal discussions on the budget, held on Monday afternoon. He stressed that, following clarifications by the Secretariat on the formatting of document UNEP/SPP-CWP/OEWG.2/7, the use of terms, and the budget breakdown in individual elements, delegates exchanged general views on the fundraising plan to address the funding gap for 2024. He emphasized that the informal group reached its objective and the outcome will expedite discussions under Contact Group 4 on intersessional work and budget.

Chair Alkemade thanked delegates, noting that discussions will continue under Contact Group 4.

### *Election of Officers*

Chair Alkemade reopened the item on election of officers, inviting delegates to hold elections by secret ballot on the two vacant seats for the Bureau for the EEG, and announcing tellers from South Africa, Trinidad and Tobago, and Japan.

Nigeria, for the AFRICAN GROUP, supported by BRAZIL, called for respect for all delegates, as per the UN Code of Conduct, and asked that the meeting remain free of prejudice.

Following a suspension to brief the tellers, Chair Alkemade read out the procedures for elections to fill vacancies in the Bureau of the OEWG (UNEP/SPP-CWP/OEWG.2/INF/XX). She announced that three candidates would be considered for election by a secret ballot: Alexandru Roznov (Romania); Vladimir Lenev (Russian Federation); and Roman Filonenko (Ukraine). The Secretariat stated that 112 members had submitted accreditation documentation. Responding to a request by the Russian Federation on the voting procedure, Chair Alkemade confirmed that no proxy voting would take place. After a physical headcount, the tellers confirmed that quorum had been met, with 106 members present. Addressing another request by the Russian Federation, the Secretariat confirmed that accreditation documentation of all registered members had been reviewed twice. The RUSSIAN FEDERATION requested that the tellers confirm the accreditation documentation, given the discrepancy between the Secretariat's reported numbers on accreditation and the results of the tellers' physical headcount. UKRAINE and the US preferred proceeding with the vote.

Chair Alkemade adjourned the session, to allow for the tellers to review accreditation.

In the afternoon, the conference officers and tellers performed a headcount. Chair Alkemade confirmed that 109 members were present, noting that quorum had been met. Stating that member states only require accreditation to fully participate in the OEWG, she reminded delegates of rules 16 and 17 of the UN Environment Assembly (UNEA) Rules of Procedure, which apply, *mutatis mutandis*, to the OEWG as a UNEA subsidiary body. She reported that, as of 12 December 2023, 127 member states had submitted accreditation documentation and that tellers had reported these results to the Bureau. Delegates took note of the Chair's oral report.

Following a secret ballot, Chair Alkemade announced that, of the 106 ballots received, there were no invalid ballots and 16 abstentions, with a required majority of 46. Alexandru Roznov (Romania) and Roman Filonenko (Ukraine) were elected to the OEWG Bureau, with 54 and 60 votes respectively. Vladimir Lenev (Russian Federation) garnered 42 votes.

The US, the EU, and ANTIGUA AND BARBUDA condemned the recollection of past racist sentiments repeated in plenary. In a right of reply, ROMANIA expressed deep regret at the "poor racist joke" of the former Romanian Ambassador to the UN Environment Programme, noting that the country had immediately recalled the ambassador and was in a dialogue with African states. She underlined the anti-racist values of the country's populace.

The RUSSIAN FEDERATION congratulated the elected Bureau members and expressed regret at the length of the voting procedure. He underlined that racist remarks should be neither tolerated nor forgiven.

Closing the discussion, Chair Alkemade emphasized the importance of mutual respect throughout the process.

### **Contact Group on Scope, Objectives, Functions, Operating Principles, and CoI**

Co-Facilitator Adu-Kumi opened the first reading of CoI draft text, using the proposal for the CoI policy for the SPP ([UNEP/SPP-CWP/OEWG.2/INF/10/Add.1](#)) as a basis for input. The group discussed the purpose of the CoI policy, with some delegations calling for the SPP and its subsidiary bodies to use "peer-reviewed" literature as well as non-peer-reviewed "as appropriate, alongside other reliable sources." Others called for SPP outputs to be "policy-relevant without being policy-prescriptive" rather than policy-neutral.

One delegate asked to insert text encouraging participation and ensuring that representativeness and geographical balance is not impaired. Other delegates specified identifying "potential" CoIs and the "quality of" the SPP's outputs and processes. Discussion on whether the CoI Committee is "intergovernmental" was paused, pending discussion in other contact groups.

On referring CoI-related requests to the Bureau, the Secretariat pointed to similarities with the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) CoI policy. On the kind of information requested, and from/to whom, Co-Facilitator Adu-Kumi referred delegates to Annex A of the document, which sets out the procedures for implementing the CoI policy.

In the evening, Co-Facilitator Itsuki Kuroda (Japan) reopened discussion on the operating principles, noting that the group had identified 20 elements missing from the original list contained in the draft text. She informed delegates that she had requested the Secretariat to cluster the new elements, and to consider whether they are actually operating principles. She introduced the five clusters proposed for the new elements as: scope and objective; functions of the SPP; modalities of work; the panel's composition; and core principles. The Secretariat explained that operating principles are overarching values, which shape the

work of the SPP. Co-Facilitator Kuroda then called on delegates to review the table representing the clusters, noting that many of the new elements are already included as operating principles in the original list. Several countries stressed the need to include capacity building. Discussions continued into the night.

### **Contact Group on Institutional Arrangements**

Co-Facilitator Sofia Tingstorp (Sweden) opened the lunchtime session. The Secretariat presented a graph visualizing possible bodies of the future panel based on [UNEP/SPP-CWP/OEWG.2/INF/10/Rev.1](#), including a plenary, bureau, secretariat, interdisciplinary expert committee, and possible other subsidiary bodies or committees. She clarified the plenary as a meeting where decisions are made by members of the panel that are UN member states.

Delegates welcomed the graph and discussed questions relating to the relationship between the bodies of the panel; membership of the panel; and decision-making power within the panel. Some noted the need to define the SPP membership and distinguish between provisions on plenary membership and on members' rights and obligations. A delegate requested clarification on the relationship between the SPP membership and a potential multidisciplinary expert panel, such as the one under IPBES, and suggested portraying and discussing additional models, including involved individuals and their functions. Other delegates suggested: intersessional work on a draft text on rules of procedure for the SPP; defining the exact roles of different stakeholders; and adding proposed committees in the draft diagram.

In the evening, with the draft text on screen, Co-Facilitator Torres invited delegates to start textual negotiations, following the collection of general views during the lunchtime session. Delegates engaged in this task, suggesting and reacting to textual proposals on: SPP's membership; composition of the plenary; and the text's structure. One delegate suggested detailing what kind of experts governments should nominate for plenary meetings, which some delegates opposed, due to its prescriptive character. Another delegate drew from IPBES, suggesting that the SPP be open to all UN members but that an active expression of interest to enter into membership be required. Following relevant suggestions, the group moved on to the section on functions of the plenary, discussing textual proposals made by delegates. Deliberations continued into the night.

### **In the Breezeways**

Procedural hiccups dominated Tuesday's programme, with a long-drawn-out voting process to elect the Bureau members from the EEG. With calls for verifications and more verifications, the OEWG ended up in uncharted territory by accepting a request for tellers to counter-check accreditation material submitted to the Secretariat. Eventually managing to sail through these new waters, delegates elected Alexandru Roznov (Romania) and Roman Filonenko (Ukraine) as Co-Chairs to the OEWG Bureau.

In the contact groups, discussions proceeded with some ease. As delegates addressed the tricky matter of the CoI policy, the now familiar concerns about assessments by the future SPP being biased in any way took center stage. "For assessments in the chemicals and waste cluster, this will be a tough act, given the deep pockets of some industry players," shared one delegate. On one hand, the OEWG needs to ensure that the Panel can review as many sources (peer-reviewed or otherwise) of information as possible. On the other hand, there must be some checks to guarantee that the sources which make up the assessments are not compromised. "We need to make this airtight, and for me the proposed text looks good as is," opined a participant. The remaining days will demonstrate how smoothly delegates proceed in putting meat on the skeleton outline for proposals for the establishment of the SPP.