

CSD 19 HIGHLIGHTS TUESDAY, 3 MAY 2011

Throughout Tuesday, CSD 19 Working Groups 1 and 2 convened to continue addressing issues in the Chair's negotiating text. In the morning, Working Group 1 took up mining, and Working Group 2 discussed waste management. In the afternoon, Working Group 1 took up chemicals, while Working Group 2 continued discussions from Monday on the 10YFP. Delegates also participated in a Learning Center, Partnerships Fair and various side events.

WORKING GROUP 1

MINING: In the morning, the Working Group conducted a first reading of the Chair's negotiating text on mining, facilitated by Vice-Chair Eduardo Meñez (the Philippines). In the chapeau paragraphs, Hungary, for the EU, stressed that mining is "essential for modern living," and "crucial" for sustainable functioning of the world economy and societies, while Indonesia, for the G-77/CHINA, emphasized mining's role in achieving the MDGs. The EU and G-77/CHINA also highlighted the importance of fair distribution and utilization of mining benefits to citizens, with the US underlining the importance of transparency as referenced in the Extractive Industries Transparency Initiative.

On policy options, SWITZERLAND supported text enabling: accounting for all financial flows of mining; effective reinvestment of mining revenues to the sub-national levels; diversification of local economies; and post-mining activities. MEXICO called for policies to promote export of manufactured goods rather than raw materials. The EU and CANADA supported capacity building and infrastructure development.

The G-77/CHINA proposed merging the texts on strengthening legal, regulatory and institutional frameworks, thus making them more concise. She also suggested inserting "in accordance with national plans and legislation" regarding land rights of local communities. The EU proposed monitoring systems and national registers on water quality and quantity, accident prevention strategies and risk assessment, as well as a reference to the ILO Convention 182 on child labor.

CANADA, AUSTRALIA, NEW ZEALAND and the US asked for deletion of "free, prior and informed consent" regarding indigenous and local communities. On the participation of these communities, the US proposed mentioning public participation in law development, regulations and policies. CANADA and the G-77/CHINA spoke on public access to public domain information.

On transfer of sound technologies and know-how, CANADA suggested replacing "water reuse" with "sustainable water management" in the section on sharing best practices. The EU

said improved performance of mining companies should be in regard to sustainable development practices, while NORWAY suggested text on promoting good governance.

On integrating artisanal and small-scale mining in national economies, MEXICO called for providing public support for mine closure planning. CANADA proposed giving special attention to women and children. The G-77/CHINA, CANADA and AUSTRALIA proposed deleting text on energy efficiency, as it was unrelated to extraction.

CHEMICALS: In the afternoon, the Working Group conducted a first reading of the Chair's negotiating text on chemicals, facilitated by Vice-Chair Silvano Vergara Vásquez (Panama).

On the chapeau paragraphs, the EU underlined the role of chemicals in achieving the MDGs and in transitioning to a green economy. The US and the G-77/CHINA emphasized the contribution of chemicals to economies and living standards. SWITZERLAND stressed links to the Rotterdam, Basel and Stockholm Conventions. The G-77/CHINA asked for increased financial, technical and capacity building support for chemicals management, and CANADA underlined the need for significant changes in societal management of chemicals.

SWITZERLAND and NORWAY emphasized addressing both chemical and waste life-cycles together, with NORWAY noting that similar language had been inserted into the draft text on waste management. The G-77/CHINA underscored the principle of common but differentiated responsibilities. The EU and CANADA highlighted the SAICM framework's contribution to the policy process.

On policy options and actions needed, the EU and MEXICO, opposed by CANADA, introduced text on the "right to know." The US and AUSTRALIA supported strengthening implementation of the Rio principles related to chemicals management.

The G-77/CHINA introduced language on: providing financial support, technology transfer and capacity building; avoiding mechanisms that erect technical trade barriers against developing countries; and exchanging knowledge and experience between developed and developing countries. The EU added language on assessment, risk management and safe use of chemicals, on POPs and pesticides, and on endocrine-disrupting and other substances. JAPAN said any regulation of chemicals should be least trade restrictive. CANADA suggested providing data to regulatory authorities and adding a reference to Major Groups.

SWITZERLAND suggested mentioning enhanced synergy among the three chemical conventions and SAICM. The US made extensive amendments to the text on safer alternatives, promotion of approaches that minimize hazardous chemical use, and the Rio principles as they relate to chemicals management. PARAGUAY suggested formulation of strategies for research on

diseases caused by chemicals, especially in vulnerable groups. ISRAEL suggested development of population guidelines for rehabilitation and removal of chemical hazards.

WORKING GROUP 2

WASTE MANAGEMENT: In the morning, the Working Group began a first reading of the text on waste management, facilitated by Vice-Chair Abdelghani Merabet (Algeria). Regarding chapeau paragraphs, the EU sought to replace references to “solid and hazardous waste” with “all” wastes. SWITZERLAND said the text should refer to materials management not just wastes. The EU and US disagreed on how best to refer to e-waste.

JAPAN and the EU proposed clarifications of the 3R concept, with JAPAN adding text on expanding the types of goods being recycled and improving legislative frameworks for the 3Rs. The EU stressed waste prevention and minimization, reuse, recycling, recovery and disposal to cover the full range of all the waste management options.

The G-77/CHINA offered a new paragraph stressing the key role of SCP patterns in waste management. SWITZERLAND suggested making sustainable production the first in the list of priority objectives. The EU underscored the importance of the Basel Convention. CANADA proposed text stating that Governments should share best practices on sustainable waste management in rural communities.

The G-77/CHINA highlighted the importance of wide dissemination of the economic and environmental and social benefits, as well as ensuring local applicability of an integrated solid waste management approach with a focus on the 3Rs. In this regard, the G-77/CHINA supported text stating that intensive efforts are needed for capacity building, financing and transfer of technologies for developing countries.

NORWAY suggested adding text on promoting educational opportunities for waste-pickers. The G-77/CHINA proposed, while AUSTRALIA, CANADA, NEW ZEALAND and the US opposed, language on taking necessary action for the early entry into force and implementation of the Ban Amendment under the Basel Convention.

When discussing the paragraph on implementing relevant international conventions, SWITZERLAND suggested deleting reference to the Bamako Convention and Cotonou Convention because they are regional conventions. However, the G-77/CHINA asked to add the Marpol Convention into the text.

The EU asked for clarification on working towards formulating global standards and definitions, the US proposed to “support the use of international standards and definitions,” while the G-77/CHINA called for deleting reference to it. AUSTRALIA and CANADA proposed deleting references to negotiations on the Protocol on Liability and Compensation under the Basel Convention. The US suggested striking e-waste from a reference to effective enforcement of the Basel Convention. The EU asked for clarification of language on promoting use of biotechnology and bioremediation. The US, supported by CANADA, suggested adding a reference to the Code of Conduct on the Safety and Security of Radioactive Sources.

10YFP: In the afternoon, the Working Group continued the first reading of the paragraphs on the 10YFP on SCP, facilitated by Vice-Chair Andrew Golezdzinowski (Australia). At the close of the previous session, parties had been invited to submit their proposals for textual changes to the Secretariat. Discussions proceeded on the basis of a revised text.

The G-77/CHINA highlighted their proposal that UNEP serve as the dedicated Secretariat of the 10YFP, in close cooperation with Member States and relevant UN agencies to provide a coordinating function on SCP issues.

On 10YFP mechanisms, the US proposed deleting references to a dedicated Secretariat, SWITZERLAND advocated a Secretariat hosted by UNEP, while AUSTRALIA suggested UNDESA for that role. The US and the G-77/CHINA opposed calls for designating lead agencies for key priorities programmes and for a branding logo.

ISRAEL proposed a reference to developing appropriate global monitoring indicators for sustainable development. JAPAN, supported by AUSTRALIA, asked to delete “training and capacity building” in reference to providing technical assistance, training and capacity building on good SCP practices to developing countries.

Regarding financial assistance and capacity building, the G-77/CHINA referred to predictable and additional financing, and proposed language requesting the 66th UN General Assembly to establish a Trust Fund on 10YFP. The EU, US, NORWAY and SWITZERLAND opposed a text on access of regional and national actors to multilateral funding sources, and the US and JAPAN proposed deleting text on mobilizing additional resources from the private sector.

On criteria, the US proposed adding transparency and refraining from creating trade barriers, SWITZERLAND suggested mainstreaming SCP, NORWAY called for promoting synergies and the G-77/CHINA supported the principle of corporate social responsibility.

The US and the G-77/CHINA proposed deleting text on establishing a multi-stakeholder bureau or board with regional representation and the main stakeholders involved in the 10YFP. The EU supported establishing a multi-stakeholder board.

The G-77/CHINA, EU, US and NORWAY suggested deleting the list of key programme areas in the Chair’s negotiating text, noting that it could be annexed to the document in the form of a non-negotiated text. SWITZERLAND said it was in favor of having the list in the main body of the document.

The EU made a proposal that requests the Secretariat, in collaboration with two Co-Chairs representing Member States from developing and developed countries, to organize the first international meeting within an appropriate timeframe, but before the end of 2012, to establish the intergovernmental multi-stakeholder forum and multi-stakeholder bureau on SCP.

The second reading of the text on the 10YFP then commenced with the chapeau paragraph on policy options/actions, with those proposing amendments asked to explain their proposals.

IN THE CORRIDORS

As delegates got down to the nuts and bolts of the negotiating text some were expressing concern for possible scheduling conflicts between future readings on chemicals and waste management, which are being covered by separate working groups. One expert said, “I can handle both issues, but I can’t replicate myself.” During the first reading, the conflict was avoided by reviewing relevant texts at different times. This may not work in the later reading if negotiations go to more narrow thematic sub-groups, as seems likely given the many detailed amendments proposed in the first round.

In addition, UNEP’s parallel scheduling of a Long Island meeting on financing chemicals management on Wednesday and Thursday is forcing delegations to choose between it and the CSD. Though some think the finance meeting will be a solid, albeit indirect, step towards Rio+20, why it is being held in parallel to CSD negotiations on chemicals is a “good question,” according to others. “It is not expected to feed into CSD negotiations in any way,” said one seasoned expert. “We can’t afford to waste the CSD 19’s negotiating opportunity” chimed another.