



SAICM PREPCOM3 HIGHLIGHTS WEDNESDAY, 21 SEPTEMBER 2005

On the third day of SAICM PrepCom-3, discussions continued in plenary on the draft overarching policy strategy (OPS) throughout the day and on the draft high-level declaration (HLD) in the afternoon. Contact groups on the draft global plan of action (GPA) and financial considerations met throughout the day.

PLENARY

Mexico, for GRULAC, supported by CHINA, IRAN and Nigeria, for the AFRICAN GROUP, said it would be unwilling to continue negotiations without a clear resolution of financial matters.

The CENTER FOR INTERNATIONAL ENVIRONMENTAL LAW (CIEL), IRAN, the AFRICAN GROUP and the SUSTAINABLE DEVELOPMENT POLICY INSTITUTE said proposed language that SAICM was voluntary was unacceptable, while INDIA said it was necessary to communicate the approach was not legally-binding.

OVERARCHING POLICY STRATEGY: Objectives: On the governance section, TOGO suggested adding a reference to harmonization of chemicals-related national rules and regulations. CANADA suggested referring to coordination and cooperation rather than to harmonization, and proposed replacing the word "ensure" in several locations to stress SAICM's directive, rather than adjudicative, role. The EU, supported by JAPAN, the US and CHILE, suggested deleting a reference to the need for business frameworks to promote safer products to overcome technical barriers to trade. The AFRICAN GROUP proposed text on less hazardous substitutes and improved products. CHAD suggested deleting a paragraph calling for ensuring equal participation of women in decision making, while NAMIBIA and the INTERNATIONAL COUNCIL OF WOMEN urged keeping the paragraph. MOROCCO emphasized the importance of institutional cooperation to combat illicit traffic.

On the capacity building and technical cooperation section, Egypt, for the ARAB GROUP, called this section the most important part of SAICM, with CHINA noting its special importance to the first stage of implementation. On partnerships and technical cooperation, TOGO, supported by the CENTRAL AFRICAN REPUBLIC and KENYA, suggested creating a separate paragraph on technology transfer to highlight its importance.

On coordination, the AFRICAN GROUP, supported by SWITZERLAND and AUSTRALIA, proposed new wording on donors' interests and recipients' needs. The PHILIPPINES called for a reference to accountability.

On the sound management of chemicals, the International Confederation of Free Trade Unions (ICFTU) suggested consideration of safer alternatives.

On facilitation of use of chemicals, THAILAND, with CAMBODIA, suggested adding "appropriate" as a qualifier of use.

On establishing a financial mechanism, the US and JAPAN, opposed by CHINA, THAILAND and the AFRICAN GROUP, suggested deleting this paragraph, as it was already covered in another section.

On the section on implementation and taking stock of progress, the Inter-Organization Programme for the Sound Management of Chemicals (IOMC) noted its papers on secretariat functions and on monitoring progress (SAICM/PREPCOM.3/INF/13 and 16), and asked for clarification on the changes required for IOMC to assume a coordination role for SAICM.

IRAN proposed new text on: bridging the gap in capacities between developed and developing countries; implementing SAICM in a non-discriminatory manner; and assisting developing countries in clean technology transfer. The RUSSIAN FEDERATION suggested deleting a paragraph calling for an oversight body to address emerging policy issues and forge consensus on priorities for cooperative action.

The EU, the US, KENYA and others supported giving a central role to UNEP in the secretariat. The US supported using the International Conference on Chemicals Management (ICCM) as a forum to review progress, urging a review five years after SAICM's adoption. GRULAC and the AFRICAN GROUP called for the implementation body and the secretariat to be within the existing UN structure. The INTERNATIONAL COUNCIL OF CHEMICAL ASSOCIATIONS (ICCA) and INDIA said there was no need to establish a new body or forum acting as an oversight body. AUSTRALIA, with SWITZERLAND, called for institutional arrangements to preserve SAICM's inter-sectoral and inclusive nature, while retaining policy guidance from governments. Nigeria, for the AFRICAN GROUP, emphasized elements in its submission on proposed institutional arrangements for SAICM (SAICM/PREPCOM.3/INF/11). South Africa, for the AFRICAN GROUP, said key principles of institutional arrangements include financial sustainability, openness, transparency and inclusiveness. SWITZERLAND highlighted its proposal with several other delegations on implementing and taking stock of progress (SAICM/PREPCOM.3/CRP.22).

The INTERGOVERNMENTAL FORUM ON CHEMICAL SAFETY (IFCS) noted its submission on key lessons on the chemicals management international framework (SAICM/PREPCOM.3/INF/7). ARGENTINA stressed the unique role of the IFCS in promoting open exchanges among all participants, and called for consideration of the Forum's future once the SAICM is adopted. The INTERNATIONAL POPS ELIMINATION NETWORK (IPEN) and ARGENTINA said institutional arrangements must be open, inclusive, and transparent, with IPEN urging the preservation of the rules of procedure guiding PrepCom sessions.



A contact group was created, to be chaired by Chris Vanden Billeke (Belgium), to deal with the section on implementation.

On the principles and approaches section, the EU, SWITZERLAND, AUSTRALIA, and CANADA supported the division between general principles and those specific to chemicals management, while the AFRICAN GROUP, supported by the ARAB GROUP, suggested merging the lists. The EU said the general principles should not be renegotiated, because they had already been agreed upon internationally. CANADA warned against trying to create new principles or to recreate principles in legally-binding instruments elsewhere. SWITZERLAND suggested adding confidentiality of business information to the general section, and the life-cycle approach to the chemicals specific part. The ARAB GROUP suggested including strategic planning as a principle. The US noted that the list did not represent the full range of principles and approaches relevant to chemicals management, and was lacking such concepts as environmental assessments, science-based risk assessment, and socio-economic analysis.

In the general principles section, COLOMBIA suggested adding principles from the Rio Declaration that humans are at the centre of sustainable development, and on unsustainable patterns of production and consumption.

On cooperation among states, CHINA suggested including the principle of common but differentiated responsibilities, consistent with the Rio Declaration.

On a paragraph on liability and compensation instruments, JAPAN noted that it did not refer to a principle but to an instrument.

Regarding the principles specific to chemicals management, AUSTRALIA proposed adding concepts such as risk-based decision making.

On precaution, AUSTRALIA said the World Summit on Sustainable Development (WSSD) formulation of the precautionary approach should guide SAICM. CIEL said, and the EU agreed, that the concept of precaution was expanded in the Stockholm Convention to cover both environment and health.

HIGH-LEVEL DECLARATION: President Bohn introduced the draft HLD (SAICM/PREPCOM.3/2). AUSTRALIA and CANADA noted the text could better convey a sense of urgency. BRAZIL said a strong political statement was needed and, with WWF, suggested not substantially modifying the original text.

The EU suggested including: priority-setting; the identification of global concerns; and availability of data and data generation. IPEN introduced its paper suggesting some changes to the HLD (SAICM/PREPCOM.3/CRP.7).

Regarding the preamble, CANADA proposed mentioning chemicals management achievements, including the Stockholm and Rotterdam Conventions. JAPAN opposed specific references to the life-cycle approach and to precaution, without mentioning other concepts such as science-based risk assessment and management. TOGO requested recognition of an increase in illicit traffic in chemical substances.

On the operative paragraphs, SWITZERLAND said financing from all private sector actors should be welcome, not just those involved in life-cycle management and, with the US, JAPAN and ICCA, suggested including language reflecting the benefits of chemicals.

On the special needs of developing countries, the ICFTU, supported by WWF, suggested text noting that capacity is needed not only for sound chemicals management, but also for research and development of safer alternatives. The AFRICAN GROUP said the HLD should refer to illegal international traffic. SWITZERLAND proposed adding reference to the importance of ratifying multilateral environmental agreements (MEAs), while AUSTRALIA preferred referring to the implementation of relevant agreements.

The US asked for clarification regarding the GPA's list of possible measures countries could employ and, opposed by WWF, stated the GPA is voluntary and does not affect governments' international obligations. IPEN suggested, and the GAMBIA opposed, making reference to commitments to "achieve" rather than to "improve" chemical safety.

KENYA suggested adding a provision to ensure that SAICM activities will not be used as barriers to trade to the detriment of developing countries. JAPAN proposed text on confidentiality of business information. The ICCA requested recognition of the chemical industry's efforts to promote chemical safety. BURUNDI suggested adding references to chemical wastes.

CONTACT GROUPS

GLOBAL PLAN OF ACTION: The Secretariat said it had compiled six subsets of concrete areas and activities needing further deliberations, which contain concrete measures and activities that might: require or imply concerted actions; be inconsistent with existing international policy; be too prescriptive; fall outside the scope of SAICM; need further drafting for clarity; and constitute new proposed activities.

A small drafting group was formed to deal with the measures and activities needing further drafting. Participants in the contact group addressed the first subset.

Under occupational health and safety, participants debated a ban on asbestos, and agreed to a compromise whereby countries should consider a phase-out of uses of asbestos.

Under persistent bioaccumulative substances (PBTs); carcinogens, mutagens and reproductive toxins; heavy metals; and very persistent and very bioaccumulative chemicals, the group revised text on the promotion of alternatives to organic chemicals, and made reference to "unmanageable risks to human health and the environment."

Discussions on heavy metals focused on: the elimination, by 2020, of production and use of hazardous chemicals; an integrated approach to chemicals management through MEAs; priorities for management of toxic chemicals and PBTs; and reduction of risks posed by heavy metals through sound environmental management.

FINANCIAL CONSIDERATIONS: The contact group reviewed the text of the chapeau and the first of seven subparagraphs on funding programs. Disagreement arose over references to "new and additional financial resources," and "encouraging" or "committing to" global efforts to advance sound chemicals management. The roles of the Global Environment Facility, other multilateral funding mechanisms and bilateral programs were discussed at length. After agreeing to bracket much of the text in the chapeau, the contact group continued with discussions on detailed measures. Delegations disagreed on how "soft" the measures should be, for example whether "with the intent of identifying changes in laws" should be changed to "with the view of identifying changes." Proposals by some to introduce "where appropriate" to modify the application of various financial measures were also the focus of debate, as were disputes over wording on internalization of costs. The text remains heavily bracketed.

IN THE CORRIDORS

While discussions in the contact group on concrete measures and activities started enthusiastically, participants soon showed frustration over slow progress, fearing a late report to plenary could hinder the entire PrepCom-3 process. While some attributed this development to those with economic interests in various substances, others blamed it on those seeking to re-open discussion on issues already agreed upon at previous PrepComs.

On financing, several developing country participants felt disappointed at the lack of a clear commitment by donors to provide new and additional funds. Others were frustrated at industry's reluctance to contribute financially to SAICM's implementation or to consider proposals on internalization of costs.