

SUMMARY OF THE SECOND SESSION OF THE INTERNATIONAL CONFERENCE ON CHEMICALS MANAGEMENT: 11-15 MAY 2009

The second session of the International Conference on Chemicals Management (ICCM2) was held from 11-15 May 2009, in Geneva, Switzerland. The meeting was attended by over 800 participants, representing over 150 governments, as well as intergovernmental organizations, non-governmental organizations (NGOs), and industry. ICCM2 considered new emerging policy issues, rules of procedure, the need for an intersessional body, and matters related to finance in contact groups throughout the week. A High-level Segment convened on Thursday afternoon and Friday.

Delegates adopted nine resolutions and reached agreement on, *inter alia*: rules of procedure; emerging issues; a process for considering emerging issues; the establishment of an open-ended working group; and financial resources. ICCM2 took the decision not to integrate the Intergovernmental Forum on Chemical Safety as a subsidiary body of the ICCM, and left it to determine its own future.

Although some NGO representatives expressed frustration with the focus of ICCM-2 on process and procedures, as opposed to substance, many government representatives suggested this was necessary to ensure that the ICCM would have appropriate processes in place to support meaningful substantive work and to achieve the implementation of the Strategic Approach to International Chemicals Management (SAICM).

A BRIEF HISTORY OF SAICM

The issue of chemicals management and the idea of a Strategic Approach to International Chemicals Management have been discussed by the United Nations Environment Programme Governing Council (UNEP GC) and reflected in various forms since 1995, including in:

- UNEP GC decision 18/12 of May 1995, which invites UNEP's Executive Director to convene an expert group to consider and recommend further measures to reduce risks from a limited number of chemicals;

- an expert group meeting in April 1996, which made recommendations on the inadequate capacity of developing countries to handle hazardous chemicals and pesticides, and the disposal of unwanted stocks of pesticides and other chemicals;
- insufficient information for chemicals management decision making and action;
- the possible need to ban and phase out certain chemicals; and
- UNEP GC decision 19/13 of February 1997, which seeks out options for enhanced coherence and efficiency among international activities related to chemicals.

WORLD SUMMIT ON SUSTAINABLE DEVELOPMENT:

The Summit was convened from 26 August-4 September 2002, in Johannesburg, South Africa, and delegates adopted the Johannesburg Declaration and the Johannesburg Plan of Implementation (JPOI). The JPOI's chemicals-related targets include:

- the aim to achieve, by 2020, the use and production of chemicals in ways that lead to the minimization of significant adverse effects on human health and the environment;

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This issue of the *Earth Negotiations Bulletin* © <enb@iisd.org> is written and edited by Melanie Ashton, Paula Barrios, Ph.D., Tallash Kantai, and Pia M. Kohler, Ph.D. The Editor is Pamela S. Chasek, Ph.D. <pam@iisd.org>. The Director of IISD Reporting Services is Langston James "Kimo" Goree VI <kimo@iisd.org>. The Sustaining Donors of the *Bulletin* are the United Kingdom (through the Department for International Development – DFID), the Government of the United States of America (through the Department of State Bureau of Oceans and International Environmental and Scientific Affairs), the Government of Canada (through CIDA), the Danish Ministry of Foreign Affairs, the German Federal Ministry for Economic Cooperation and Development (BMZ), the German Federal Ministry for the Environment, Nature Conservation and Nuclear Safety (BMU), the Netherlands Ministry of Foreign Affairs, the European Commission (DG-ENV), and the Italian Ministry for the Environment, Land and Sea. General Support for the *Bulletin* during 2009 is provided by the Norwegian Ministry of Foreign Affairs, the Government of Australia, the Austrian Federal Ministry of Agriculture, Forestry, Environment and Water Management, the Ministry of Environment of Sweden, the New Zealand Ministry of Foreign Affairs and Trade, SWAN International, Swiss Federal Office for the Environment (FOEN), the Finnish Ministry for Foreign Affairs, the Japanese Ministry of Environment (through the Institute for Global Environmental Strategies - IGES), the Japanese Ministry of Economy, Trade and Industry (through the Global Industrial and Social Progress Research Institute - GISPRI), the Government of Iceland, and the United Nations Environment Programme (UNEP). Funding for the translation of the *Bulletin* into Spanish at this meeting has been provided by the Spanish Ministry of the Environment and Rural and Marine Affairs. The opinions expressed in the *Bulletin* are those of the authors and do not necessarily reflect the views of IISD or other donors. Excerpts from the *Bulletin* may be used in non-commercial publications with appropriate academic citation. For information on the *Bulletin*, including requests to provide reporting services, contact the Director of IISD Reporting Services at <kimo@iisd.org>, +1-646-536-7556 or 300 East 56th St., 11A, New York, New York 10022, United States of America.

- the development, by 2005, of a SAICM based on the Intergovernmental Forum on Chemical Safety (IFCS) Bahia Declaration, and Priorities for Action Beyond 2000; and
- the national implementation of the new Globally Harmonized System of Classification and Labelling of Chemicals, with a view to having the system fully operational by 2008.

IFCS FORUM IV: The fourth session of the IFCS (Forum IV) took place from 1-7 November 2003, in Bangkok, Thailand, under the theme “Chemical Safety in a Vulnerable World.” In response to GC decisions SS.VII/3 and 22/4, Forum IV discussed the further development of SAICM and forwarded a non-negotiated compilation report on its work to SAICM PrepCom-1, addressing, *inter alia*: life-cycle management of chemicals since Agenda 21; new and ongoing challenges; gaps in life-cycle chemicals management; and resources for capacity building and implementation.

PREPCOM-1: SAICM PrepCom-1 took place from 9-13 November 2003, in Bangkok, Thailand. Participants provided initial comments on potential issues to be addressed during the development of SAICM, examined ways to structure discussions, and considered possible outcomes of the SAICM process. There was widespread agreement among participants that the overarching objective of SAICM should be to achieve, by 2020, the use and production of chemicals in ways that lead to the minimization of significant adverse effects on human health and the environment, as agreed in the JPOI. There was also broad support for a three-tiered approach for SAICM, which would comprise: a global programme of action with targets and timetables; an overarching policy strategy; and a high-level or ministerial declaration.

PREPCOM-2: SAICM PrepCom-2 was held from 4-8 October 2004, in Nairobi, Kenya. Delegates discussed elements for an overarching policy strategy for international chemicals management, made progress in developing a matrix of possible concrete measures to include in the global plan of action, and provided comments on an initial list of elements for a high-level political declaration.

2005 WORLD SUMMIT: The 2005 World Summit was held at UN headquarters in New York from 14-16 September. Regarding chemicals management, delegates resolved to promote the sound management of chemicals throughout their life cycle, including hazardous wastes, with the aim that, by 2020, chemicals are “used and produced in ways that lead to the minimization of significant adverse effects on human health and the environment.” They resolved to implement a voluntary strategic approach to international management of chemicals, and to support developing countries in strengthening their capacity for the sound management of chemicals and hazardous wastes.

PREPCOM-3: SAICM PrepCom-3 was held from 19-24 September 2005, in Vienna, Austria. Delegates discussed the SAICM high-level declaration, overarching policy strategy, and global plan of action, but did not reach agreement on several elements in the three documents, including: principles and approaches; the description of SAICM as “voluntary”; financial considerations; and the timing and frequency of future ICCM sessions.

ICCM-1: The first International Conference on Chemicals Management (ICCM-1) was held from 4-6 February 2006, in Dubai, United Arab Emirates. Delegates completed negotiations and adopted SAICM, including an overarching policy strategy and global plan of action. SAICM is a multi-stakeholder and multi-sectoral policy framework. The ICCM is also multi-stakeholder and multi-sectoral, and was tasked undertaking with periodic reviews of SAICM. The Dubai Declaration on International Chemicals Management was also adopted. In the Declaration, participants committed to strengthening the capacities of all concerned in order to achieve the sound management of chemicals and hazardous wastes at all levels, and to continue mobilizing national and international financing from public and private sources. They also reaffirmed the goal to minimize the significant adverse effects on human health and the environment by 2020.

IFCS FORUM V: This meeting was held in Budapest, Hungary, from 25-29 September 2006. The main agenda item at Forum V was consideration of the future of the IFCS in light of the final agreements on SAICM. Agreement was reached to establish a working group to draft a decision on the future of IFCS to be presented at IFCS-VI.

IFCS FORUM VI: This meeting took place from 15-19 September 2008 in Dakar, Senegal. The main agenda item for the meeting was the future of the IFCS. Discussions were based on three options identified by the Working Group on the Future of the IFCS. After debating the three options and whether to maintain the institutional independence of the IFCS, delegates agreed to invite the ICCM to integrate the Forum into the ICCM as an advisory body, as stated in the Dakar Resolution on the Future of IFCS. They also reached consensus on the three functions and key elements for operation of the Forum, and decided that its role is to provide an open, transparent and inclusive forum for considering new and emerging issues related to sound chemicals management.

OELTWG-1: The first meeting of the Open-ended Legal and Technical Working Group (OELTWG) of the International Conference on Chemicals Management (ICCM) and informal discussions on preparations for the second meeting of the ICCM (ICCM-2), were held from 21-24 October 2008, in Rome, Italy. The OELTWG discussed the rules of procedure for the ICCM, and although some progress was made on the composition of the Bureau, delegates were unable to reach agreement on the entire text. The informal discussions included preparatory dialogue on issues to be considered at ICCM-2 including: emerging policy issues; modalities for SAICM reporting; financial and technical resources for SAICM implementation, including evaluating the performance of financing of SAICM; review and update of SAICM; and the relationship between the Intergovernmental Forum on Chemical Safety (IFCS) and SAICM.

REPORT OF THE MEETING

The second session of the International Conference on Chemicals Management (ICCM2) opened on Monday morning, 11 May 2009. Speaking on behalf of UNEP Executive Director Achim Steiner, Sylvie Lemmet, Director of UNEP’s Division

of Technology, Industry and Economics (DTIE), welcomed participants to Geneva and noted ICCM2's heavy agenda, its 30 side events, and two innovative high-level round tables.

Participants then viewed video messages from Rashid Ahmed bin Fahad, Minister of Environment and Water, United Arab Emirates, and from ICCM1 President Mariano Arana, Uruguay's former Minister of Housing, Territorial Planning and the Environment. Bin Fahad underscored the SAICM goal of reducing by 2020 the negative impacts of chemicals on human health and the environment, noting ICCM2 was the golden opportunity to reaffirm this commitment and define steps to achieve it. Arana stated that sustainable development was a goal compatible with sound chemicals management and called for taking on a global, transparent and participatory commitment to achieve it, and for resource mobilization for SAICM implementation.

Maria Bohn (Sweden), speaking on behalf of her mother Viveka Bohn, Chair of the Preparatory Committee for the Development of a SAICM, said that SAICM was unique in bringing together all stakeholders with governments, the private sector and civil society taking part as equals, and called for flexible rules of procedure. Noting the need for more reliable information on chemicals and their effects by policy makers and legislators, she suggested ICCM2 invite UNEP and the World Health Organization (WHO) to establish an international chemicals panel similar to the Intergovernmental Panel on Climate Change (IPCC).

ORGANIZATIONAL MATTERS: Election of officers:

Delegates nominated and elected Ivan Eržen (Slovenia) as ICCM2 President. Vice-Presidents elected were Eisaku Toda (Japan), Carlos Portales (Chile), Ndiaye Cheikh Sylla (Senegal) and Victor Escobar Paredes (Spain).

Adoption of the agenda: President Eržen introduced the provisional agenda (SAICM/ICCM.2/1), and a proposal from the UNEP Executive Director that the ICCM recognize contributors to SAICM in an awards ceremony (SAICM/ICCM.2/14), which could be considered under Other Matters. The US asked that the management of and transitioning to alternatives from perfluorinated chemicals (PFCs) (SAICM/ICCM.2/INF/49) be discussed under emerging issues. Egypt proposed adding consideration of cooperation between SAICM and chemicals-related multilateral environmental agreements (MEAs) from the technical point of view under Other Matters. The Conference adopted the agenda as amended.

Appointment of a credentials committee: The Conference agreed to establish a credentials committee, to examine the credentials of participants. Members of the committee were: Fuyumi Naito-Ogawa (Japan), Thelma Chitra Chetty (Mauritius), Per Hallström (Sweden), Boštjan Jerman (Slovenia) and Ingrid Martinez Galinda (Guatemala).

Organization of work: The Conference agreed that the plenary would convene contact groups as necessary, and that no more than two contact groups would meet concurrently.

Adoption of the rules of procedure: This issue was considered in plenary on Monday and in a contact group, tasked to finalize the rules of procedure for ICCM, on Monday, Tuesday and Thursday.

In order for the Conference to progress, the Secretariat suggested, and the Conference agreed, that it would continue to use the rules of procedure of the Preparatory Committee for the Development of SAICM.

Participants heard that after the first session of the Open-Ended Legal and Technical Working Group (OELTWG), the Secretariat had prepared a document on rules of procedure that included additional consultations with stakeholders and would be circulated as a conference room paper (CRP), for consideration by ICCM2.

Switzerland proposed the establishment of a contact group to discuss the ICCM rules of procedure, and suggested the group base its discussions on the Secretariat document. Japan, Nigeria, the EU, Argentina, Iran, Australia, the African Group and the Center for International Environment Law (CIEL) supported the Swiss proposal. Others, including Iran and the US, said the decision on which document should form the basis for the contact group's discussions should be decided after the CRP's distribution. CIEL said the consensus document had been previously distributed by the Secretariat through focal points and Friends of the Chair. The Conference agreed to establish a contact group with a mandate to identify potential solutions to reach consensus on the rules of procedure.

Chaired by Osvaldo Álvarez (Chile), the contact group agreed to use the Secretariat's proposals with tracked changes as a basis for its discussions. Participants discussed the extent of participation of NGOs and intergovernmental organizations (IGOs), and the qualifications for NGO participation. The US suggested a provision for high-level Bureau members to be represented by subordinate members in the event that they are unavailable. Delegates also considered the participation of NGOs and IGOs in the establishment of subsidiary bodies, and discussed the deadline for circulation of proposals to the Secretariat and delegates.

On the powers of the President, delegates agreed to the removal of references to adoption procedures, so the rules would be operational even if no decision on these procedures was reached. Delegates also raised the issue of regional meetings and regional networks, and were torn over whether these should be included in the rules of procedure, but eventually agreed to remove the section.

The African Group proposed that the conference set up an accreditation committee to vet NGOs and IGOs.

There was extensive discussion on rule 33, which contained proposals on procedures for adoption of decisions. The US proposed voting if all participants were involved, but consensus if a decision was to be taken only by governments. The African Group and Japan promoted a two-thirds majority vote, while Brazil, Iran, China and the EU promoted consensus on substantial matters by all participants or, if no agreement is reached, consensus by governments. CIEL noted that NGOs and IGOs had made remarkable concessions on this issue, and promoted a two-thirds majority vote by governments if a consensus cannot be reached. This rule was left bracketed, and will be considered at ICCM3.

The Conference adopted the rules of procedure for ICCM, leaving the rule on adoption of decisions in brackets, on Thursday in plenary.

Final Resolution: In the resolution on rules of procedure for the ICCM (SAICM/ICCM.2/CRP.23), the Conference adopts the rules of procedure of the ICCM contained in the annex to the resolution, with the exception of a paragraph on adoption of decisions.

The annex, *inter alia*:

- introduces the rules as applying to any session of the ICCM;
- defines the terms contained in the rules, and describes the handling of sensitive matters by participants;
- describes the procedures for representation, credentials and accreditation;
- gives details on the officers and operation of the Bureau;
- describes the functions of the Secretariat;
- highlights the role of subsidiary bodies;
- details the conduct of business of the ICCM; and
- details the procedure for the adoption of decisions.

Report of the Credentials Committee: On Friday, plenary heard a report from the Credentials Committee reporting: that 122 government delegations submitted acceptable credentials; three submitted unacceptable credentials; and 22 government delegations had not submitted credentials. The Conference approved the report from the Committee.

IMPLEMENTATION OF THE STRATEGIC APPROACH TO INTERNATIONAL CHEMICALS MANAGEMENT

EVALUATION OF AND GUIDANCE ON IMPLEMENTATION AND REVIEW AND UPDATE OF THE STRATEGIC APPROACH: The Secretariat introduced a document that summarized stakeholder submissions on the implementation of SAICM (SAICM/ICCM.2/4). The US said the new administration took environmental concerns very seriously. Underscoring the multi-stakeholder and multisectoral nature of SAICM, he questioned whether decisions in SAICM should be taken by all, rather than merely some, participants. The US also suggested preparatory sessions for ICCM3 convene in 2011, and stressed the need to marshal additional resources to continue and expand the Quick Start Programme (QSP).

The International Panel on Chemical Pollution (IPCP) supported the establishment of a high-level UN chemicals scientific panel to provide a platform for independent scientists to provide input to policy making.

Japan, on behalf of the Asia Pacific Group, stressed the importance of SAICM and said now was the time for action and for enhancing capacity-building efforts.

Egypt called for guidelines to establish national plans to facilitate SAICM implementation, and the EU suggested endorsing the guidelines prepared by the Secretariat. The International POPs Elimination Network (IPEN) highlighted its Citizen's Report of NGO activities under SAICM and said the global community was not on track to meet the 2020 goal, stressing that financing remained insufficient and unsustainable. The International Council of Chemical Associations (ICCA) outlined its Responsible Care Global Charter and its Global Product Strategy.

Nigeria, on behalf of the African Group, emphasized the need for a sustainable financial mechanism, called for renewing the QSP and, with Jamaica, underlined the importance of regional coordination networks in the implementation of SAICM. Jamaica

announced that it would circulate a document on this issue. Jordan reiterated the need for more regional meetings to facilitate information and experience sharing.

The Inter-Organization Programme for the Sound Management of Chemicals (IOMC) stressed the important role that NGOs play in the implementation of SAICM.

The International Trade Union Confederation (ITUC) welcomed the QSP and stressed the importance of civil society participation. Oman outlined its chemicals legislation, noting that its implementation had been consultative and participatory.

Procedure to update the GPA: The Conference considered this item on Tuesday in plenary, and an informal working group was established to work on the procedure for the inclusion of new activities in SAICM's GPA (SAICM/ICCM.2/CRP.28). The outcome of the group's work was presented to the Conference on Friday, and was adopted and appended to the meeting report.

On Tuesday, participants discussed a proposal for a procedure to update the GPA (SAICM/ICCM.2/INF/18). The EU, ITUC and others expressed support for the proposed procedure, with the EU noting it was hesitant to amend the GPA before a procedure had been agreed upon. Switzerland, with Argentina, proposed regional groups and other stakeholders discuss and further develop the procedure in the intersessional period, and Argentina emphasized the need for regional consultations to consider adding new activities. Prioritizing implementation of existing activities, Brazil, Egypt, Nigeria, China, Canada and Burundi cautioned against adding new activities to the GPA at ICCM2. Egypt said any procedure to add new GPA activities should seek to bridge the gap in countries' capacities to manage chemicals, while Nigeria urged that the procedure be transparent. The US preferred taking action on emerging issues rather than amending the GPA. The Environmental Health Fund (EHF) supported consideration of issues where complete information was lacking but reasonable concern existed, and suggested a subsidiary body consider new activities for addition to the GPA before ICCM3. The Dominican Republic urged action on key issues, such as asbestos.

Participants agreed to establish a drafting group, led by Argentina, to work on proposed text. On Thursday morning in plenary, the President introduced a proposal, contained in a CRP, for a procedure for the inclusion of new activities in the GPA, which had been submitted by Argentina, the EU, Canada and Madagascar. The EU proposed adding a reference to regional focal points reporting back to the Bureau on the outcome of consultations on proposed new activities. Switzerland, supported by Norway, Argentina and Cuba, proposed deleting a paragraph providing that the Bureau would decide whether to include proposals to add new activities to the GPA on the agenda of the next ICCM session. Canada opposed this deletion. Stressing that there were over 247 activities in the GPA, the US urged emphasis on prioritization of current activities and cautioned against a procedure that might lead to the addition of numerous new activities.

On Friday, Argentina said that in the informal consultation, the proposal had been supported by the US and the EU, and that the ICCA, Switzerland, Japan, Madagascar and India had participated in its formulation. The Conference accepted and adopted the document, with minor amendments.

Final Outcome: The procedure for the inclusion of new activities in SAICM's GPA (SAICM.ICCM.2/CRP.28) provides a simple, clear, transparent and participatory mechanism. The procedure will apply from the end of ICCM2, and provides that:

- additional activities will be presented by a stakeholder or a group of stakeholders;
- the mechanism for the discussion and endorsement of proposals shall comprise: the preparation and circulation of a justification document by those proposing the activity, a list of priority proposals for inclusion in the agenda by the regional consultation, and the posting of the proposals on the SAICM website, and compilation of any comments from stakeholders;
- the comments will be further considered by stakeholders and a revision of the proposals will be posted on the website;
- the proposal will be presented, justified and considered at the intersessional meeting, which will forward those selected to the Conference; and
- the proposal will then be considered by the Conference.

The procedure lists the criteria for the proposal of an additional activity: the proposal's relevance to SAICM's Overarching Policy; the extent to which the issue identified has adverse effects on human health and the environment; and the activity's consistency with and complementarity to existing international policies or agreements.

The contents of the justification document are, *inter alia*: a synopsis, a description of the activity and how it would contribute to achieving commitments under the Dubai Declaration.

Regional activities and coordination: This issue was addressed in plenary on Wednesday and Thursday and in informal consultations on Thursday. On Wednesday, the African Group presented a revised version to the Conference, which was adopted on Thursday.

Japan, on behalf of the Asia Pacific Group, the EU and Egypt supported the resolution. Switzerland suggested broadening the agenda of regional meetings. The US supported an omnibus resolution. Switzerland, Chile and Saint Lucia focused on the roles of regional focal points and Bureau members. Nigeria explained that it considered work by regions to be essential, which is why the African Group requested that the rule on regional networks contained in the rules of procedure be retained in brackets, rather than deleted altogether, pending adoption of this resolution. CIEL warned against taking the rules of procedure "hostage." The Conference agreed Jamaica would lead informal consultations on the resolution.

On Thursday, the US and Switzerland lent their support to the revised resolution arising from these consultations, and plenary adopted it.

Final Resolution: In the proposal for a draft resolution on regional activities and coordination (SAICM/ICCM.2/CRP.9/Rev.1), the Conference:

- expresses appreciation to the governments and organizations that have facilitated the holding of regional meetings;
- commends the establishment of regional coordination mechanisms and the development of terms of reference for regional representatives;

- underlines the important role of regional meetings and coordination mechanisms in information and experience sharing;
- encourages regions and subregions to identify common priorities and develop regional implementation plans and further encourages these groups to provide assistance for SAICM implementation within their regions;
- calls upon governments and organizations who can provide financial and in-kind resources to enable regional meetings during the intersessional period;
- requests the assistance of the Secretariat in facilitating these meetings; and
- encourages regional focal points to play a facilitative role in their regions and to report on their efforts to ICCM3.

Establishing an open-ended working group: On Monday in plenary, the Secretariat introduced a CRP submitted by Switzerland proposing an intersessional subsidiary body whose functions include reviewing and discussing proposals on emerging issues prior to ICCM sessions. The Latin America and Caribbean Group (GRULAC), the African Group, IPEN, Norway, ITUC, Iran, Thailand and South Africa supported the Swiss proposal to establish a subsidiary body to carry out intersessional work, which GRULAC, Japan and Russia said should be carried out by the Intergovernmental Forum on Chemical Safety (IFCS). The US supported strengthening regional networks and regional meetings and, with Japan, said the ICCM Bureau could facilitate intersessional work.

IOMC offered its expertise to facilitate intersessional work, and Tunisia encouraged coordination with organizations such as WHO and FAO. The Society of Environmental Toxicology and Chemistry, the International Union of Pure and Applied Chemistry (IUPAC) and the International Union of Toxicology proposed holding a purely scientific open forum on emerging issues in 2011. GRULAC warned against handing the intersessional process to NGOs and stressed the need for developing country participation. IPEN underscored the need for all types of knowledge and opposed endorsing one science body over another, while IPCP emphasized the need for a broader approach. Canada encouraged contributions from all scientific and technical organizations to prepare for future ICCM meetings.

GRULAC proposed that a contact group be established to consider a subsidiary body, which Australia said was unnecessary. The issue was forwarded to a contact group chaired by Switzerland.

On Thursday, Switzerland introduced a draft resolution to establish an open-ended working group (OEWG) to prepare for ICCM sessions. Stressing that comprehensive preparation was key to the success of ICCM meetings, he highlighted that one of the objectives of the group would be to review and prioritize emerging issues. The draft resolution was supported by GRULAC, Egypt, CIEL, the African Group, Norway and Kuwait. Australia and ICCA agreed that intersessional work was needed, with Australia noting it might require the establishment of a group or a body.

The EU expressed concern about firmly establishing intersessional groups but agreed to study the draft resolution. The US noted the value of an intersessional meeting, but said it would prefer not to establish a group. As a compromise, CIEL suggested an *ad hoc* OEWG, which was supported by Japan.

Switzerland agreed to convene a contact group to prepare a revised draft resolution based on comments from participants. On Friday in plenary, Switzerland announced that the group had reached agreement and introduced the draft resolution. The resolution was adopted without amendment.

Final Resolution: In the resolution on establishing an OEWG (SAICM/ICCM.2/CRP.30), the Conference:

- establishes an OEWG as a subsidiary body, subject to confirmation by the Conference at its third session;
- decides that the OEWG shall consider implementation, development and enhancement of SAICM;
- decides that the OEWG may prepare draft decisions or resolutions for possible adoption by the Conference;
- decides that the OEWG shall meet once in the year prior to each session of the conference;
- reaffirms the importance of full and effective participation of developing countries and countries with economies in transition in the OEWG and urges those in a position to do so to make contributions to defray the travel costs of eligible participants; and
- decides that the ICCM Bureau shall serve as the Bureau of the OEWG.

IMPLEMENTATION OF AND COHERENCE AMONG INTERNATIONAL INSTRUMENTS AND PROGRAMMES:

On Wednesday, the Secretariat introduced: the report of the QSP Executive Board to ICCM2 (SAICM/ICCM.2/5 and 5/Add.1), the ratification and implementation status of existing international instruments and programmes (SAICM/ICCM.2/INF/1), the recommendations of the *Ad Hoc* Joint Working Group on enhancing cooperation and coordination among the Basel, Rotterdam and Stockholm conventions (SAICM/ICCM.2/INF/2), information on regional health and environment processes (SAICM/ICCM.2/INF/28), and a study on synergies in the implementation of international instruments among signatories to the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (SAICM/ICCM.2/INF/43).

In the ensuing discussion, Switzerland, with the EU and Egypt, supported the new synergetic relationship among the Basel, Rotterdam and Stockholm conventions. Donald Cooper, Executive Secretary of the Rotterdam and Stockholm Convention Secretariats, expressed hope over expanding the relationship between the three conventions and SAICM.

MODALITIES FOR REPORTING BY STAKEHOLDERS ON PROGRESS IN IMPLEMENTATION:

On Wednesday in plenary, the Secretariat introduced documents related to reporting modalities (SAICM/ICCM.2/3, SAICM/ICCM.2/INF/40 and INF/40/Add.1), and explained that they included a proposal, developed in consultation with an international project steering committee, for a limited number of indicators for use in periodic reporting. The EU said the proposal was a workable compromise. The African Group highlighted the need for more clarity on indicators and for data on illegal trafficking. Japan,

EHF, Republic of Korea, Honduras, Kuwait, Belarus and others thanked the Government of Canada for funding the indicators project and, with India, praised the Secretariat for its work.

Switzerland stressed the need for effective, efficient, precise and practical reporting modalities, as well as for indicators to reflect progress in SAICM's implementation. South Africa stressed that some indicators covered more than one concept, thereby creating uncertainty in results, and urged their revision. IPEN supported, and the US opposed, a proposal by the Secretariat to form a steering committee to develop a wider range of indicators. The US introduced a new proposal on indicators and was requested to consult informally with participants on the proposal.

In plenary on Friday, the US introduced a proposal on modalities for reporting on behalf of the informal consultative group that considered the issue. He noted the proposal provided minor modifications to SAICM/ICCM.2/3 and included 20 indicators, highlighting the addition of an indicator on illegal traffic in hazardous waste and the reorganization of the indicators on risk reduction. He explained that the proposal outlined steps for the Secretariat to develop a questionnaire to collect this data and prepare a first report in early 2010, noting the need to amend the text regarding intersessional work, since the ICCM decided to establish an OEWG.

ICCM2 adopted the proposal with these minor amendments, and agreed to annex the document to the report of the meeting.

Final Outcome: The proposal on modalities for reporting by stakeholders on progress in implementation (SAICM/ICCM.2/CRP.29) adopted by the Conference contains three chapters: overall guidance, indicators for reporting by stakeholders on progress in the implementation of the Strategic Approach, and preparation of reports.

The overall guidance chapter outlines several points to be considered by the Secretariat when developing overall guidance on how to respond to a questionnaire collecting the data needed for each indicator, including the need to: use a simple electronic data collection tool; use a single set of indicators for all stakeholders; structure the indicators to take advantage of existing reporting mechanisms and avoid duplication with reporting to MEAs; be clear and not contain ambiguous descriptions; and publish all reports on the SAICM website.

The chapter on indicators includes tables identifying 20 indicators, to be collected nationally and monitored at the regional and global levels, along with preliminary guidance and notes on data to be collected. The indicators are organized into five groupings: risk reduction, knowledge and information, governance, capacity building and technical cooperation, and illegal international traffic.

The chapter on preparation of reports notes that the Conference may wish to, *inter alia*:

- adopt the indicators listed in the document;
- request the Secretariat to finalize the overall guidance and the individual guidance on how data will be collected under each indicator, make the guidance public and request comments, and prepare a baseline estimates report for comment by the OEWG;
- invite the Secretariat to consider OEWG comments, make any necessary adjustments to the data collection tool, solicit

data in order to complete the first progress report by the end of 2011, and request the Secretariat to analyze the reports and provide a concise summary identifying major trends; and

- make a formal evaluation at ICCM3, taking into account these reports, on progress in implementing SAICM.

STRENGTHENING OF NATIONAL CHEMICALS

MANAGEMENT CAPACITIES: On Wednesday in plenary, the Secretariat introduced: a report on submissions received from stakeholders in response to the questionnaire on SAICM implementation (SAICM/ICCM.2/4 and SAICM/ICCM.2/INF/20); the IOMC strategy for strengthening national chemicals management capacities (SAICM/ICCM.2/11); a report on activities of the IOMC and its observer organizations in support of SAICM's implementation (SAICM/ICCM.2/INF/3); a guide to IOMC's tools and resources to support implementation of the Globally Harmonized System of Classification and Labelling of Chemicals (GHS) (SAICM/ICCM.2/INF/15); a guide to IOMC resource, guidance and training materials (SAICM/ICCM.2/INF/16); a guidance document on developing a capacity assessment for the sound management of chemicals and national implementation of SAICM (SAICM/ICCM.2/INF/17); a citizens' report by IPEN on a global outreach campaign on SAICM (SAICM/ICCM.2/INF/25); and submissions by the Asia-Pacific Economic Cooperation (APEC) Chemicals Dialogue Steering Group (SAICM/ICCM.2/INF/42).

UNITAR stressed that these activities aimed to, *inter alia*, promote implementation of SAICM at the national and regional levels and build capacity for policy and legislation development.

On the GHS, the EU offered to share its implementation experiences with interested participants. Egypt questioned the lack of an implementation mechanism for the APEC proposals. The APEC Chemicals Dialogue noted that the scope and pace of GHS implementation varied from country to country.

The American Chemistry Council supported the work of APEC on awareness raising and capacity building for chemicals management. The US proposed a panel presentation at ICCM3 to spotlight work on implementing SAICM at the national level. IPEN highlighted that national chemicals capacity could not be built without public knowledge of chemicals in products, and called on industry to internalize all costs and to provide financing to SAICM. Australia said the APEC Chemicals Dialogue could complement SAICM implementation. Delegates agreed to take note of the discussion in the report of the meeting.

On Thursday, the African Group introduced a proposal for guidelines for SAICM's national focal points as part of efforts to strengthen and prioritize national chemicals management capacities. The Conference agreed to append the proposal to the meeting report.

The African Group submitted the proposal for guidelines for SAICM national focal points as part of efforts to strengthen and prioritize national chemicals management capacities. This proposal was appended to the meeting report.

Final Outcome: The guidelines for SAICM national focal points (SAICM/ICCM.2/CRP.18) were prepared in light of experiences within the African region and task the national focal point to, *inter alia*:

- establish a national desk for SAICM with an annual budgetary allocation;

- act as a conduit for SAICM at the national and regional levels and ensure synergies with the focal points of chemicals and waste-related MEAs;
- establish an inter-ministerial and inter-institutional committee for SAICM implementation;
- facilitate SAICM implementation efforts; and
- establish communication with subregional and regional focal points.

FINANCIAL AND TECHNICAL RESOURCES FOR IMPLEMENTATION:

The issue of financial and technical resources for implementation was discussed in plenary on Tuesday, and in a contact group from Tuesday to Friday. In plenary on Friday, the Conference adopted a draft resolution on financial and technical resources for implementation. On Friday in plenary, the Conference also dealt with a recommendation from the QSP Executive Board.

On Tuesday in plenary, the Secretariat introduced a note on long-term financing for SAICM (SAICM/ICCM.2/12), a report on obstacles to donor contributions (SAICM/ICCM.2/13), the results of a stakeholder questionnaire on financial arrangements for SAICM (SAICM/ICCM.2/6 and INF/37), documents relating to the QSP (SAICM/ICCM.2/5, 5/Add.1, INF/24, INF/30 and INF/30/Add.1), and a report from regional consultations (SAICM/ICCM.2/INF/14). The Global Environment Facility (GEF) and the Multilateral Fund of the Montreal Protocol introduced reports on their respective work in support of SAICM's implementation (SAICM/ICCM.2/INF/23 and INF/26) and the GEF provided information on its fifth replenishment (SAICM/ICCM.2/INF/27).

Uganda, on behalf of Barbados, Belize, Cambodia, Laos, the Former Yugoslav Republic of Macedonia and Zambia, introduced a draft resolution on integrating the sound management of chemicals into national development policies and plans, based on a document on views of developing countries on the issue (SAICM/ICCM.2/INF/46). The World Bank supported mainstreaming chemicals management into development planning.

In the discussion on financial and technical issues for the implementation of SAICM, the EU proposed the GEF as a financing mechanism, noting that chemicals management was within the GEF's mandate. This was supported by Norway, Pakistan, Senegal, Namibia, Canada, Japan, UNEP, the Philippines, Switzerland and India. The US explained it was looking at inviting the GEF to consider funding chemicals management more broadly, but not necessarily as part of a new focal area. Nigeria called for a new focal area on chemicals management under the GEF. Noting that the GEF requires activities to have global benefits, the EHF stressed that some chemicals activities had primarily local and national benefits, and subsequently questioned the extent to which GEF could contribute to SAICM implementation.

Iran noted the need for simplification and liberalization of the GEF procedures for countries to access funding. Jamaica supported a multiplicity of funding sources and stressed the need for an accessible mechanism. Indonesia and Bahrain highlighted the success of the Multilateral Fund and suggested a similar structure under SAICM. Jordan called for a sustainable and flexible financing mechanism. GRULAC underscored the need

for developed countries to meet their commitments under the Overarching Policy Strategy. ICCA highlighted the voluntary in-kind contributions industry was making to promote the goals of SAICM.

On the QSP, the EU, Switzerland and China called for broadening the QSP's donor base, with the EU stressing the need for private sector involvement. Switzerland underscored the QSP's limited focus and life, called for fair burden-sharing among donor sources, and pledged to contribute CHF100,000 to the QSP Trust Fund in 2009. Thailand, Pakistan, Mongolia, Namibia, Morocco, Tanzania, Brazil, IPEN, IOMC, the ITUC and others supported long-term financing under the QSP. The US asked that the QSP partner with the World Bank and other institutions to mainstream sound chemicals management into their activities. Madagascar said all countries should contribute to the QSP Trust Fund. GRULAC called for broadening and extending the QSP to cover all activities within the GPA and called on industry to make donations to the Fund.

The Conference agreed to establish a contact group on financing with Abiola Olanipekun (Nigeria) and Jozef Buys (Belgium) as Co-Chairs.

In the contact group, discussions centered on a summary of plenary discussions by the Co-Chairs. They proposed organizing concerns in three parts: the financing's function, sources and form. Participants agreed that the Co-Chairs would prepare a proposal for a draft resolution following this structure, on the basis of: plenary and contact group discussions, the draft resolution introduced in plenary by Uganda, and draft text circulated to regional focal points by the Secretariat. Several participants emphasized the need for a short resolution in order to send a clear message. The Co-Chairs' proposal for a draft resolution was considered by the contact group from Wednesday to Friday.

On the title of the resolution, participants disagreed on whether it reflected the resolution's content, with some preferring it refer to long-term financial arrangements rather than financial considerations. The contact group agreed to refer to financial and technical resources for implementation, with South Africa, Jamaica and Iran questioning whether there was sufficient reference to technical resources in the resolution. Participants also agreed to recall paragraph 19 (financial considerations) of the SAICM Overarching Policy Strategy.

On the function of the financing, participants underscored the need for sustainable and accessible funding for sound chemicals management activities, with divergences on whether it should also be predictable, reliable and adequate. As participants emphasized the need for a country-driven approach, there was agreement to take into account the priorities identified by developing countries and countries with economies in transition. The contact group also discussed a call to these countries to accelerate mainstreaming efforts, and eventually agreed to encourage efforts by all countries aimed at mainstreaming sound chemicals management into development plans, and to call upon donors and relevant organizations to prioritize financial and technical assistance to support mainstreaming efforts.

On financial sources, emphasis was placed on reflecting the full range of potential sources, including industry and NGOs, and participants agreed to invite funding for SAICM implementation

from all stakeholders. Negotiations also centered on how to call upon specific stakeholders to provide funding, with the group agreeing on distinct paragraphs related to: supporting financing of SAICM objectives within stakeholders' capabilities; giving adequate priority to SAICM objectives in multilateral and bilateral development assistance; inviting relevant financial institutions to strengthen support for activities contributing to the achievement of SAICM objectives; and calling on the private sector, including industry, to enhance its support of SAICM objectives, including through voluntary partnerships, in-kind contributions, partnerships and financial and technical participation.

Participants also discussed the QSP as a source of financing, and in the end agreed to: recognize the need to broaden the QSP donor base; urge potential donors, including industry, foundations, NGOs and other stakeholders, to contribute to the QSP; and call on current donors to continue and strengthen their support.

On the GEF, participants agreed on the need to send a message to the GEF, during its fifth replenishment process, on the importance of considering sound chemicals management, but disagreement remained throughout the week on the content of that message. Several developing countries supported inviting the GEF to consider establishing a new focal area on sound chemicals management, while Switzerland favored inviting it to consider broadening the POPs focal area. The EU and the US preferred inviting the GEF to consider ways to enhance support of sound chemicals management, with the EU warning against impacting existing arrangements between the GEF and the Stockholm Convention and the US warning against prescribing actions to the GEF. In the end a compromise was reached on Friday to: welcome the consideration being given the sound management of chemicals during the GEF's fifth replenishment process; and urge the GEF, within this process, to consider expanding its activities related to the sound management of chemicals to facilitate SAICM implementation, while respecting its responsibilities as the financial mechanism for the Stockholm Convention.

On the form of the financing, discussion centered on the need for a dedicated mechanism or mechanisms. While there was agreement that the resolution would mandate ICCM3 with reviewing the financial arrangements, many raised concerns over prejudging the outcome of such a review. Discussions also centered on the reports on the QSP and other financial arrangements to be submitted for consideration at ICCM3, and participants agreed to request an evaluation of the QSP, invite all stakeholders to assess and report to the Secretariat on steps they have taken to implement the SAICM financial arrangements, and have the Secretariat compile and synthesize these reports for ICCM3.

The QSP was discussed extensively, including a suggestion to extend the deadline of contributions and disbursements each by one year so that it would still be operating at ICCM3. The EU and Switzerland opposed such an extension, underscoring that the QSP's time-limited scope had been instrumental to the agreement on its establishment. South Africa emphasized that due to its budget approval process, deleting such an extension would amount to "deleting" his country as a donor. Participants

agreed, in order to accommodate potential donors' budgetary planning horizons, to allow the Trust Fund to remain open for voluntary contributions until ICCM3 while the time limit disbursement of funds would remain the end of 2013.

On Friday in plenary, the Conference adopted the draft resolution without amendment. President Eržen noted that the QSP Executive Board had recommended in its report (SAICM/ICCM.2/INF/30) to revise its arrangements, detailed in Appendix II to Resolution I/4 (Quick Start Programme), so as to allow the Executive Board's Committee on the Trust Fund, composed of Trust Fund donors and regional representatives, to meet prior to, rather than during, Executive Board meetings. The Conference agreed to amend Resolution I/4, as proposed by the Executive Board.

Final Resolution: In the resolution on financial and technical resources for implementation (SAICM/ICCM.2/CRP.25), the Conference:

- stresses that sound chemicals management is essential to the attainment of sustainable development, including the eradication of poverty and disease, the improvement of human health and the environment, and the elevation and maintenance of the standard of living in countries at all levels of development;
- reaffirms that achieving the objectives of the Overarching Policy Strategy depends in part on the financing of diverse action at all levels and on enhanced synergies and the complementarity of the multiple financial arrangements foreseen in SAICM for its implementation;
- encourages additional research on the economic and social costs of unsound chemicals management, including the cost of inaction and the implications for the health sector at national, regional and international levels, to facilitate appropriate priority being given to the implementation of SAICM objectives;
- encourages research on and, where appropriate, the assessment and adoption at the national and subnational levels of economic instruments that internalize the external costs related to chemicals, bearing in mind that such instruments need careful design;
- recognizes the need for sustainable, predictable, adequate and accessible funding for activities in support of sound chemicals management and achievement of SAICM objectives, taking into account the priorities identified by developing countries and countries with economies in transition;
- encourages efforts by all countries aimed at mainstreaming sound chemicals management and calls upon donors and relevant organizations in their assistance strategies to prioritize financial and technical assistance to developing countries and countries with economies in transition to support their efforts to mainstream sound chemicals management into national development policies and plans;
- invites funding for SAICM implementation from all stakeholders;
- encourages action by all stakeholders at the national or subnational level to support financing for the achievement of SAICM objectives, within their capabilities, including
 - by giving adequate priority to the sound management of chemicals in development, health and environmental planning and related budget allocation processes;
- calls upon all stakeholders to integrate and give adequate priority to SAICM objectives in multilateral and bilateral development assistance cooperation to facilitate the allocation of necessary resources at the national, subregional, regional, bilateral and multilateral levels;
- invites all relevant financial institutions, in particular existing international financial institutions, including the World Bank and regional development banks, other international, regional and subregional funding institutions and intergovernmental organizations, to build on existing synergies and to strengthen their support for activities contributing to the achievement of the SAICM objectives, including through in-kind contributions within their respective mandates;
- calls upon the private sector, including industry, to enhance its support for the implementation of SAICM objectives, including through voluntary initiatives, in-kind contributions, partnerships and financial and technical participation;
- recognizes the need to broaden the QSP donor base, urges potential donors, including governments in a position to do so, intergovernmental organizations, the private sector, including industry, foundations, NGOs and other stakeholders, to contribute to the QSP, and calls on current donors to continue and strengthen their support;
- welcomes the consideration being given to the sound management of chemicals during the fifth GEF replenishment process; urges the GEF, within this process, to consider expanding its activities related to sound chemicals management to facilitate SAICM implementation, while respecting its responsibilities as the financial mechanism for the Stockholm Convention; and invites the GEF to consider the priorities and activities identified in SAICM in support of achieving its objectives;
- decides, in order to accommodate some potential donors' budgetary planning horizons and to facilitate the QSP review, to allow the QSP Trust Fund to remain open for voluntary contributions until ICCM3, while the time limit for disbursement of funds from the Trust Fund will remain the end of 2013;
- requests the QSP Executive Board to evaluate the QSP, report on its effectiveness and the efficiency of its implementation and make recommendations in the light of its findings for consideration by ICCM3;
- invites all stakeholders, in particular those referred to in the resolution, to assess and report to the Secretariat on the steps they have taken to implement SAICM financial arrangements at the latest six months before ICCM3, and requests the Secretariat to compile and synthesize these reports, including any additional relevant information, for ICCM3; and
- calls upon ICCM3 to review and evaluate the above reports and consider the adequacy of financial and technical arrangements for SAICM as appropriate.

EMERGING POLICY ISSUES: This agenda item was taken up in plenary on Monday and Friday, and in contact group sessions, co-chaired by Barry Reville (Australia) and Jules De

Kom (Suriname), from Monday to Tuesday. On Monday, the Secretariat introduced: a summary on emerging policy issues (SAICM/ICCM.2/10), including a four-step procedure for the nomination, review and prioritization of emerging issues; a note on proposed cooperative action on four selected emerging issues (SAICM/ICCM.2/10/Add.1); a proposal by the US to consider perfluorinated chemicals (PFCs) as an emerging issue (SAICM/ICCM.2/10/INF/49); and stakeholder responses to a questionnaire on emerging issues by the Secretariat (SAICM/ICCM.2/INF/33).

In the general discussion, the EU expressed support for the Secretariat's definition of emerging issues and, with Argentina, supported addressing emerging issues provided that existing efforts were not duplicated. The African Group called for sustainable financing to implement SAICM and address emerging issues. The US suggested emerging issues could be successfully dealt with in two ways, depending on their nature: for cross-cutting issues that were addressed by several organizations, ICCM could serve as a forum for information exchange to facilitate action by other organizations; for other issues, ICCM could adopt concise, cogent, simple and clear resolutions for action under SAICM.

The Conference agreed to create a contact group on emerging issues, the precise mandate of which was developed as the meeting progressed. Switzerland suggested the group pay particular attention to nanotechnology, chemicals in products and PFCs, while the African Group, the Nigerian Basel Convention Regional Centre (BCRC), Chile, Myanmar, Jamaica, IPEN and others urged detailed consideration of the e-waste issue. Canada and the US suggested the contact group begin by considering the procedure for identifying emerging issues. A few participants said the group should prioritize the four emerging issues selected in the interim process before considering the US proposal on PFCs, which had not followed the same procedure. As the meeting progressed, it was agreed that the contact group should consider: each of the four emerging issues selected through the Secretariat's interim process; the procedure for selecting new emerging issues; and, if time allowed, the US proposal on PFCs. On Friday in plenary, the ICCM adopted an omnibus resolution (SAICM/ICCM.2/CRP.26/Add.5) on emerging policy issues, with sections on each of the matters considered below, except for PFCs, which was adopted as a separate resolution.

Nanotechnology: The US highlighted some of the benefits of nanotechnology for human health and the environment and called for increased information sharing on nanotechnology. Venezuela emphasized existing research on nanotechnology in the developing world, and called for synergies to advance it. The Island Sustainability Alliance called for labeling of e-nanomaterials, as well as better e-waste management.

In the contact group, participants discussed the proposed action on nanotechnology (SAICM/ICCM.2/10/Add.1), which called for the establishment of a working group to review existing information on nanotechnology and nanomaterials, and to develop guidance documents for developing countries and countries with economies in transition to deal with nanotechnologies and nanomaterials. A few participants cautioned against proliferation of working groups and suggested

the proposed work was too extensive and might not be deliverable by ICCM3. It was suggested that a more defined project might be preferable. One participant said 800 nano-products were already on the market and it was essential that the project improve information sharing, capacity building and awareness raising among consumers, particular in developing countries, which were importing nano-products without knowledge of possible risks. The contact group agreed that a drafting group would streamline the proposed resolution for consideration by the Conference.

On Friday in plenary, participants considered the draft resolution on nanotechnology and nanomaterials, which would be part of the omnibus decision on emerging issues. Brazil suggested adding a reference to the Overarching Policy Strategy (OPS) in one of the resolution's paragraphs, which referred to confidential information. The resolution was adopted, as amended.

Final Resolution: In the relevant section of the omnibus resolution on emerging issues (SAICM/ICCM.2/CRP.25/Add.4), the ICCM recognizes: that there are potential environmental and human health benefits and risks associated with nanotechnologies and manufactured nanomaterials, and that further research is needed, aimed at realizing the potential benefits and understanding better the potential environmental and health effects of nanotechnology and nanomaterials. Among other things, the ICCM: requests governments and other stakeholders, including the private sector, to facilitate access to relevant information and share new information as it becomes available; and invites governments and other stakeholders to develop a report on the issue, considering, in particular, issues of relevance to developing countries and countries with economies in transition for consideration at ICCM3.

Chemicals in products: The Secretariat introduced a background document on chemicals in products (SAICM/ICCM.2/INF/35). The EU said that knowledge and information were fundamental to the sound management of chemicals and, with IPEN, supported the proposed action (SAICM/ICCM.2/10/Add.1), which provided for the establishment of a working group to review existing information and design an information system on chemicals in products. IPEN highlighted the problem of hazardous chemicals in children's toys. ICCA favored a framework of sound science-based regulations. The US supported efforts to share non-confidential information.

In the contact group discussions, proponents explained that the proposal intended to cover an information gap on chemicals in products that was recognized in the OPS. A few participants reiterated their concern about proliferation of working groups, and it was proposed that the outcome be a "project" rather than a "group," and that an existing organization, such as UNEP, take the project on board. Some participants from the chemicals industry said there was a need to review available information first, and that the need for a study of alternatives and other issues to deal with a "problem" that had yet to be defined was premature. UNEP explained that projects were normally conducted in stages, and that the Conference would have an opportunity to decide whether the next step was appropriate. It was decided that a small drafting group would meet to prepare

a resolution to be considered by the Conference. On Friday in plenary, the ICCM adopted the draft resolution, as submitted by the contact group, without amendment.

Final Resolution: In the relevant section of the omnibus resolution on emerging issues (SAICM/ICCM.2/CRP.26/Add.1), the ICCM: agrees to consider further the need for increased availability of and access to information on chemicals in products in the supply chain and throughout their life cycles; and decides to implement a project on the matter, inviting UNEP to lead and facilitate the project and to constitute a group with representatives of regions and other stakeholders to advise it on the project. The ICCM further agrees that the project will: collect and review existing information on information systems on chemicals in products; assess the information needs of different stakeholders; and develop recommendations for cooperative action with regard to information on chemicals in products. The ICCM also invites UNEP to report on the project and its outcomes at ICCM3.

Electronic waste: The Secretariat introduced a background document on e-waste (SAICM/ICCM.2/INF/36). The Nigerian BCRC distinguished between “end of life” and “near end of life” products, noting the latter were not subject to the Basel Convention. The Basel Action Network (BAN) urged ICCM2 to identify and take up issues not covered by the Basel Convention. Chile supported the inclusion of e-waste-related activities in the GPA. The EU and Côte d’Ivoire warned against duplicating work under the Basel and Stockholm conventions.

The African Group and the Island Sustainability Alliance underscored the need for green design of electronics, with no hazardous content. The US highlighted the potential benefits of long-lived used equipment. The Dominican Republic called for SAICM to provide information and technical assistance for recycling in developing countries. The Basel Convention Secretariat thanked a number of donors for their financial assistance, but noted that a lot of work remained to be done in chemicals management.

In the contact group discussions, proponents explained that the project sought to define the problem of end-of-life and near-end-of-life electronic equipment and identify ways to address it, considering existing gaps (such as issues not addressed by the Basel Convention), financial requirements, capacity building and green design. Some participants expressed concern that the proposal was too broad and might duplicate the Basel Convention’s work. The proponent explained that the project sought to simply identify, rather than address, the problem, and that it sought to deal with the upstream aspects of e-waste, which were not being fully addressed by the Basel Convention. It was agreed that a small drafting group would work on the proposed resolution to be forwarded to plenary on Friday. On Friday, Trinidad and Tobago suggested a small change to the resolution’s title. The resolution was adopted as amended.

Final Resolution: In the relevant section of the omnibus resolution on emerging issues (SAICM/ICCM.2/CRP.26/Add.2), the ICCM, recalling that SAICM implementation is based on the life-cycle approach to sound chemicals management, including waste management, invites IOMC organizations and the Secretariats of the Basel and Stockholm conventions to develop a workshop to identify and assess chemicals management related

issues during the lifespan of electronic and electrical equipment, including their design, green chemistry, recycling and disposal. The decision further recognizes that: near-end-of-life and end-of-life electrical and electronic products are a growing concern in developing countries; these countries lack the capacity to handle those materials in a safe manner; and there is a pressing need to design greener electronic and electrical products and to consider product stewardship and extended producer responsibility.

Lead in paint: On Monday in plenary, the Secretariat introduced the relevant document (SAICM/ICCM.2/INF/38), and conference room papers on the issue submitted by the Trust for Lead Poisoning Prevention and the International Paint and Printing Ink Council. Presenting the proposal on lead in paint, IFCS said that the environmental and health hazards of lead in paint were well known and no level of exposure was safe. IFCS also noted that, after lead in gasoline, paint was one of the most important sources of lead exposure and had significant economic and social costs. Several participants emphasized the serious and irreversible effects of lead on children’s development. The US, Japan, the EU, the African Group, Thailand, UNEP, Republic of Korea, Mauritius and Oman said that while the issue of lead in paint was not new, it qualified as an emerging issue under SAICM as no appropriate global action had been taken to address it. With IPEN, the International Society of Doctors for the Environment and others, they supported the establishment of a global partnership to facilitate the phasing out of lead in paint globally. Bahrain, supported by Kuwait, said that lead was present not only in paint but also in consumer products such as hair dyes, eye liner and toothpaste metal tubes, which should also be addressed. Canada said that the issue of lead was current rather than emerging.

In the contact group discussions, the IFCS said key outcomes of the proposed partnership would be: a database on lead alternatives; assessment of the regulatory frameworks of countries that had banned lead in paint to assist those that had not; and awareness-raising materials for relevant sectors. It was suggested that instead of adopting the partnership’s terms of reference, which were proposed in the resolution, the ICCM should ask the partnership to develop its own terms of reference and business plan. It was decided that a small drafting group would work on the resolution for consideration by the Conference. On Friday in plenary, the draft resolution was adopted without amendment.

Final Resolution: In the relevant section of the omnibus decision on emerging issues (SAICM/ICCM.2/CRP.26), the ICCM endorses a global partnership to promote the phasing out of lead in paints and invites all stakeholders to become partnership members. The Conference requests the partnership to adopt its terms of reference using the draft terms of reference presented to ICCM2 as their basis, and to develop a business plan with milestones for progress in relation to: awareness raising on the toxicity of lead and on alternatives, guidance and assistance to identify potential lead exposure, assistance to industry, prevention programmes to reduce exposure, and promotion of national regulatory efforts. The ICCM further invites UNEP and WHO, within their respective mandates, to serve as the partnership’s Secretariat, and the partnership to report back on progress to ICCM3.

PFCs: On Monday in plenary, the Secretariat introduced a submission by the US to consider the management of PFCs and transitioning to alternatives (SAICM/ICCM.2/INF/49) as an emerging issue.

On Tuesday, the US expanded on its proposal, noting the recent listing of perfluorooctane sulfonate (PFOS) under the Stockholm Convention, and explained that SAICM could support current action on known risks and provide a forum for sharing information on alternatives. The EU said adding this issue to the agenda at this stage would be bypassing the interim process and could set a “dangerous precedent.” Switzerland, Argentina and Canada supported inclusion of PFCs as an emerging issue, while Iran and Indonesia suggested it could be addressed at a future ICCM session. The US claimed its proposal followed the required procedure, which was not entirely clear at that point, and urged that it be considered at ICCM2.

The contact group on emerging issues briefly considered the US proposal on PFCs. Since there was no time to discuss the proposal further, it was decided the US could consult bilaterally with interested participants and explore whether there was interest in adopting a resolution on PFCs at ICCM2.

On Friday in plenary, the US introduced a draft resolution on PFCs, which was contained in a CRP and incorporated comments received from various stakeholders on its original proposal. The EU said that while it attached great importance to PFCs and the issue was worthy of future consideration, it had not recommended its inclusion in the omnibus resolution on emerging issues because the US proposal had not followed the same procedure as the other four emerging issues considered. Switzerland said the proposal had followed whatever procedure existed when it was presented, and expressed support for the draft decision. The US presented a revised draft resolution on action of PFCs Friday afternoon. The EU proposed minor changes to the draft resolution, including a reference to the OEWG. The resolution was approved as amended.

Final Resolution: In the resolution on PFCs (SAICM/ICCM.2/CPR.31), the ICCM: recognizes the decision by the COP of the Stockholm Convention to list perfluorooctyl and perfluorooctane in the Convention; recognizes that further scientific research may be needed on the environmental and health effects of PFCs; and emphasizes the need to develop alternatives to PFCs. The ICCM further:

- invites IOMC organizations, in cooperation with the OECD and other stakeholders, to consider the development of stewardship programmes and regulatory approaches to reduce emissions and content of PFCs of concern in products and to work towards their elimination where feasible;
- encourages governments and other stakeholders participating in such programmes to undertake: information-gathering activities on PFCs, information exchange on alternatives currently in use, technology transfer needs, regulatory actions and voluntary programmes, and monitoring emissions, exposure, environmental fate and transport, and potential environmental and health effects of PFCs and alternatives;
- invites the Secretariat to make such information available to stakeholders; and
- invites the stewardship programmes to report back to the next OEWG session and to ICCM3.

Future Procedure: On Monday in plenary, the EU stressed the need for: a procedure for the nomination and selection of emerging issues, cooperative actions on selected issues, and a timeline for issues that had already been nominated but not considered in detail. Switzerland and the US highlighted the need for an open and transparent process on emerging issues. Stressing that emerging issues should be selected on the basis of technical and scientific information, Argentina said a technical body, preferably the IFCS, should advise the ICCM on the review and selection of emerging issues.

In the contact group discussions, participants agreed that the procedure to select new emerging issues should be open, transparent and inclusive, giving all stakeholders the opportunity to participate in the process. After initial discussion, the US presented a conference room paper that was based on the Secretariat’s four-step selection procedure for the nomination, review and prioritization of emerging issues, and which incorporated additional elements discussed in the informal consultations held in Rome in October 2008. Most participants agreed to the proposed selection criteria, but some suggested that it needed to be further developed. A small drafting group was asked to finalize the text for consideration of the Conference on Friday. On Friday, the draft resolution was adopted without amendment as part of the omnibus resolution on emerging policy issues.

Final Resolution: The modalities for considering emerging policy issues (SAICM/ICCM.2/CRP.26/Add.3) provide that the process for consideration of emerging issues will be open and transparent, allowing participation by all stakeholders and facilitated by the Secretariat. The procedure includes five stages:

- Call for nominations: nominations must be submitted 18 months in advance of the ICCM session in which they will be considered;
- Submission of initial information: information provided through a questionnaire should demonstrate that the nominated issue fits the definition of “emerging issue,” and that it addresses specific criteria (magnitude of the problem; extent to which it is being addressed by other bodies; existing knowledge and gaps; extent to which issue is cross-cutting; and anticipated deliverables);
- Initial review and publication of submissions: the Secretariat must review nominations against applicable requirements, compile and summarize nominations and give proponents a chance to revise their initial proposals;
- Prioritization of submissions: regions can prioritize issues from the Secretariat’s list, and the Secretariat must compile input received from regions and other stakeholders to prioritize submissions; and
- Inclusion of emerging issues on the provisional agenda of ICCM: the OEWG must consider proposals, taking into account regional inputs, and propose a limited number of issues for consideration of the ICCM.

INFORMATION EXCHANGE AND SCIENTIFIC AND TECHNICAL COOPERATION: In plenary on Wednesday, the Secretariat introduced documents related to its progress implementing the clearing-house services (SAICM/ICCM.2/7), and an update on the level of engagement with scientific organizations (SAICM/ICCM.2/8). UNEP described

its contribution to SAICM and explained it had assisted more than 50 countries in Africa to build their chemicals management capacity.

Cambodia, supported by Ghana, Nigeria, Benin, Tanzania, Côte d'Ivoire, Morocco and Jordan, expressed appreciation to UNEP Chemicals for its work on information sharing, particularly through the clearing-house mechanism. The EU, with Switzerland and the World Federation of Public Health Associations, cautioned ICCM2 against giving scientific bodies a policy-making mandate. IUPAC highlighted that scientific societies were seeking to convene and fund a scientific conference on SAICM-related matters in the lead-up to ICCM3. Switzerland urged ICCM2 to use available budgetary resources for intersessional meetings. The US urged delegates to accommodate the suggestions from the scientific societies. Delegates agreed to take note of the discussion in the meeting's report.

COOPERATION WITH INTERGOVERNMENTAL ORGANIZATIONS

In plenary on Wednesday, the Secretariat introduced: a Secretariat note on recognition of SAICM by the governing bodies of FAO, ILO, OECD, UNEP, UNIDO, UNITAR, and WHO (SAICM/ICCM.2/INF/9); a report by IFCS (SAICM/ICCM.2/INF/10); a report by WHO (SAICM/ICCM.2/INF/11); a briefing note on the consideration of chemicals under CSD (SAICM/ICCM.2/INF/12); and a proposal to integrate IFCS into SAICM as an advisory body of the ICCM (SAICM/ICCM.2/INF/21).

WHO: The WHO noted that due to the H1N1 virus, the World Health Assembly (WHA) had been shortened and SAICM would probably not be considered until its 2010 meeting. On behalf of Morocco, Panama, Suriname, Thailand, Zambia, Physicians for Social Responsibility and the World Federation of Public Health Associations, Belarus introduced a draft resolution on health aspects of the sound management of chemicals. Regarding health, GRULAC expressed concern at the insufficient commitment of WHO to SAICM implementation and suggested appealing to the WHA to nominate national focal points for SAICM. The US, Thailand, Egypt, Zambia, Tanzania, the Philippines and Croatia supported the proposed draft resolution proposing the WHO take a more active role in SAICM, and the Conference adopted it on Wednesday.

Final Resolution: In the resolution on health aspects of the sound management of chemicals (SAICM/ICCM.2/CRP.15), the Conference, *inter alia*:

- emphasizes: the need to fully engage the health sector in national, regional and international SAICM fora; the essential cross-sectoral responsibilities of national focal points; and the importance of regional health and environmental interministerial processes as a springboard for effective intersectoral actions;
- encourages the health sector to take full advantage of SAICM arrangements;
- underlines the need for all stakeholders to assist in the development of resources to permit a greater degree of sectoral balance in representation in SAICM fora and in implementation activities;

- calls on the health sector to actively participate in actions to implement ICCM decisions with respect to identified priority issues, and calls on the WHO to intensify its activities in the sound management of chemicals in support of SAICM;
- decides to develop a strategy for strengthening the engagement of the health sector in SAICM's implementation for the intersessional period and to evaluate it at ICCM3; and
- requests that the outcomes of ICCM2 regarding human health be considered by the WHA.

CSD: Regarding chemicals management at the Commission on Sustainable Development (CSD), the EU stressed SAICM could use it as a forum to spread its message widely and introduced a draft resolution on this. Delegates consulted informally on the draft resolution and on Thursday the EU outlined some proposed minor amendments, including inviting the CSD to provide information, rather than "report" to ICCM3. Delegates adopted the resolution as amended.

Final Resolution: In the resolution concerning the work of the CSD (SACM/ICCM.2/CRP.10), the Conference, *inter alia*:

- welcomes the thematic focus on chemicals in the 2010-2011 cycle of the CSD and expresses readiness to offer assistance and cooperation in supporting the CSD's consideration of chemicals in relation to sustainable development;
- requests the Secretariat to cooperate with the CSD Secretariat in facilitating the CSD's consideration of chemicals issues;
- encourages SAICM stakeholders to participate in the CSD's work on chemicals, including through regional preparatory processes;
- emphasizes the need to mainstream chemicals management into development strategies and assistance efforts and invites the CSD to pay special attention to these issues; and
- invites the CSD to provide information to ICCM3 on its consideration of chemicals in the 2010-2011 cycle.

Future of IFCS: This issue was discussed on Thursday in plenary, when the IFCS drew attention to its proposal to serve as an advisory body to the ICCM (SAICM/ICCM.2/INF/21). Senegal underscored the need for the IFCS to continue to be part of SAICM. This was supported by India, Argentina, the Pesticide Action Network, Iran, Myanmar, the International Society of Doctors, the Philippines, Mauritius, Thailand, ITUC, Tanzania, Bahrain and Kyrgyzstan.

Switzerland lauded the work of IFCS but stressed that the time had come to "cut the tie between the parent and the child," and proposed to establish ICCM's own open-ended working group. This proposal was supported by the EU, the US, ICCA, Canada and Australia. CIEL lamented that with no support from donor countries the future of the IFCS was sealed, and urged delegates to move forward with the Swiss proposal. Consideration of the Swiss proposal was also addressed under the agenda item on evaluation of and guidance on implementation and review and update of the strategic approach.

In plenary on Friday, following adoption of the resolution on establishing an open-ended working group, the Czech Republic introduced a resolution on the IFCS, on behalf of Argentina, Chile, the EU, Japan, South Africa and Switzerland. He explained the resolution commended the IFCS on its work,

decided not to integrate it into the ICCM, and acknowledged the IFCS remained the appropriate venue to determine whether and how it may continue to serve its functions.

Canada, Norway, Australia, CIEL, Iran and Thailand supported the resolution, and many expressed their appreciation to the IFCS for its valuable work. Noting that the OEWG's establishment was subject to confirmation by ICCM3, Brazil stressed it was important to not completely close the door on the discussion of integrating the IFCS into the ICCM. Argentina and CIEL proposed an amendment to this end, and delegates agreed that ICCM decide not to integrate IFCS into ICCM "at this time." Iran underscored that this resolution should not be construed as the IFCS's demise. Tanzania noted that one of the reasons the IFCS had presented its proposal was the IFCS's need to be supported financially in order to be able to effectively carry out its function as an advisory body and undertake activities supporting SAICM's implementation. The Conference adopted the resolution, as amended.

Final Resolution: In the resolution on the IFCS (SAICM/ICCM.2/CRP.33), the Conference:

- commends the IFCS on its historic contributions towards the achievement of the objectives of Chapter 19 of Agenda 21 on the environmentally sound management of toxic chemicals, including the prevention of illegal international traffic in toxic and dangerous products;
- decides, in light of the establishment of an OEWG as an ICCM subsidiary body, not to integrate the IFCS into ICCM at this time; and
- acknowledges that the IFCS remains the appropriate venue to determine whether and how it may continue to serve its functions.

ACTIVITIES OF THE SECRETARIAT AND ADOPTION OF THE BUDGET

BUDGET: The Secretariat introduced the agenda item on its activities during 2006-2009 and the adoption of the budget for 2010-2012 (SAICM/ICCM.2/9) on Wednesday in plenary. The Conference agreed to establish a contact group, chaired by John Roberts (UK), to discuss the budget and programme of work.

Switzerland announced that it was willing to contribute to SAICM according to the UN scale of assessments. The EU noted the Community's significant financial contributions to SAICM. The US encouraged other governments and NGOs to contribute to the voluntary fund, based on the IPCC model.

On Thursday, contact group Chair Roberts gave a brief overview on the group's work. He highlighted the proposal for two new Secretariat posts, and the provisional inclusion of QSP activities and an intersessional OEWG meeting. He announced the indicative budget total for the period 2010-2012 as US\$7,276,144. The Conference preliminarily adopted the document on Thursday, pending resolution of contact group discussions on intersessional work and QSP activities. The Conference readopted it on Friday, inserting the amounts for intersessional work to be completed by the OEWG and the activities of the QSP.

Final Resolution: In the resolution on the indicative budget, staffing table and programme of work for the period 2010-2012 (SAICM/ICCM.2/CRP.21), the Conference:

- notes the work of the Secretariat since the adoption of SAICM;
- approves the indicative budget, staffing structure and programme of work for the period 2010-2012;
- recalls that funding is provided on a voluntary basis and notes that only a limited number of donors have contributed to SAICM;
- encourages all governments and organizations in a position to do so to contribute financial resources for the Secretariat to perform its mandated tasks;
- invites the UNEP Executive Director to establish P-3 and P-2 level positions to provide support to, *inter alia*, fundraising and outreach activities and QSP activities; and
- requests the Secretariat to prepare a budget for the period 2013-2015 for consideration at ICCM3.

Annexed to the budget are tables on the SAICM budget 2010-2012; the staffing structure, including the two new posts proposed, for the Secretariat of SAICM to the ICCM for 2010-2012; and SAICM's programme of work for 2010-2012.

HIGH-LEVEL SEGMENT

The High-level Segment comprised statements by ministers and heads of delegation on Thursday and Friday. Two high-level roundtables also convened. A roundtable on financing of sound chemicals management took place on Thursday afternoon. A roundtable on public health, the environment and chemicals took place on Friday morning.

UNEP Executive Director Achim Steiner opened the high-level segment on Thursday afternoon. He noted the agreement of SAICM was an inspiring feat and highlighted the success of the QSP, which he said had a promising rate of return on investment. Steiner stressed that a climate deal in Copenhagen may also have benefits for the chemicals agenda, by linking greenhouse gas emissions to chemicals. The Former Yugoslav Republic of Macedonia offered to host a Central and Eastern Europe regional workshop on SAICM. Tanzania elaborated on the activities his country had undertaken under SAICM, including the training of health and customs officers and the development of a national pesticides database. UNITAR explained it had worked as an executing agency for 52 country projects. The EU noted it had provided 80% of funding for the SAICM Secretariat and 70% of QSP funding, and stressed that the donor base must be broadened. Cambodia said environmental protection should be considered to be as important as poverty reduction. Romania said it continues to identify and provide financial resources for SAICM's implementation.

The OECD stressed that the financial crisis should not be an excuse to let the management of chemicals slip. Mozambique stressed the need for effective pesticide management to ensure safer food production. The Republic of Korea detailed his country's efforts in sound chemicals management, including its participation in the sub-committee of experts on the GHS. The US stressed the need for regional networks and regional meetings. Chile detailed his country's new legislation on chemicals management to protect human health and the environment.

Brazil said the QSP was an indispensable tool with an innovative approach. Nigeria underscored the need for a sustainable financial mechanism for SAICM. The ICCA said that

industry was a reliable and responsible partner of SAICM, and was committed to working with all stakeholders. Zambia stressed that most African countries were faced with the threat of the inflow of e-waste, and urged the Conference to develop concrete strategies to address e-waste.

On Friday, the high-level segment continued with statements from ministers and heads of delegation. Kiribati supported expanding the QSP beyond enabling implementation activities and called on countries to extend the life of the QSP. Iran underscored the need to simplify the procedure for developing countries to access financial resources. Tuvalu stressed the need for regional and subregional cooperation on chemicals management. Nigeria outlined chemicals management work in his country. Indonesia outlined the serious threats it faced through illegal trafficking in hazardous waste. Venezuela stressed the importance of non-chemical alternatives and called for capacity building, technical assistance and sustained financing for developing countries.

Egypt emphasized the strong commitment of Arab countries to SAICM and outlined the region's implementation efforts. He also called for resources and support to clean up pollution in countries affected by war and occupation. Serbia stressed the importance of mainstreaming chemicals management into sustainable development strategies and outlined Serbia's regulatory framework on chemicals management. Crop Life International said that food security was a top global concern, and suggested SAICM could contribute to environmentally and socially responsible food production through science-based, risk-based pesticide regulations to ensure proper pesticide use by farmers.

Tunisia stressed the importance of health to human and sustainable development, and urged greater participation of the health sector in the ICCM. Kenya outlined its commitment to sound chemicals management and urged mobilization of financial resources to address the ongoing problem of e-waste. Japan drew attention to: its recent decision to start risk assessments of over 20,000 industrial chemicals to promote the 2020 goal in Asia and globally; its call at the G8 meeting in Syracuse to take action on children's health, including through an epidemiological study and efforts to phase-out lead in paint; and its full support for the UNEP GC decision to negotiate a treaty on mercury.

IUPAC highlighted that 2011 would be the International Year of Chemistry and explained one of its aims was to increase the public's understanding of the contribution of chemistry to health and the environment. Thailand requested IGOs, the GEF and other international financial institutions to provide technical and financial support for priority actions and emerging policy issues. Ukraine explained his country was working to enhance chemical security.

Bahrain welcomed the assistance his country has received through the QSP. India welcomed the work of the ICCM, but noted that SAICM implementation should not interfere with the sovereign policies of individual countries. China called for increased assistance to developing countries to integrate economic development and smart environmental practices, especially regarding sound chemicals management.

Barbados highlighted his country's legislation and policies on chemicals management. Mongolia stressed the importance of sharing information on sound chemicals management. The World Bank announced it would be formalizing its participation in the SAICM process by becoming a full member of the IOMC. IFCS said partnerships were the key to addressing problems in sound chemicals management. Myanmar called for technology transfer and financial assistance from the QSP for better implementation of SAICM. IPEN lamented that ICCM2 was almost a "South-North encounter," and emphasized the need for more transparency in regional coordination meetings. Turkey reiterated that without implementation at the national and regional levels, global implementation of SAICM would fail.

The IOMC organizations renewed their commitment to the SAICM and reported that 76 countries are benefitting from the QSP. ITUC called for improving the QSP so that it reaches more workers. UNDP underscored its commitment to assisting countries in mainstreaming sound chemicals management. The International Association for Soaps, Detergents and Maintenance Products stressed the need for effective cooperation between chemical manufacturers, downstream uses and government managers for sound chemicals management.

OTHER MATTERS

SAICM AWARDS: On Thursday evening, the Conference held an award ceremony recognizing the contributions made by different stakeholders to the implementation of SAICM (SAICM/ICCM.2/14).

ARAB DECLARATION: On Thursday evening in plenary, Egypt introduced a high-level declaration from Arab Countries to ICCM-2 on behalf of Arab countries (SAICM/ICCM.2/CRP.24). The Conference agreed to take note of the declaration in the report of the meeting and to post it on the SAICM website.

QSP EXECUTIVE BOARD: On Thursday evening in plenary, regional representatives submitted their nominations to the Executive Board of the QSP: for Central and Eastern Europe, Nedjati Jakupi (Former Yugoslav Republic of Macedonia) and Anahit Aleksandryan (Armenia); for Western Europe and Others, Kari Puurunen (Finland) and Gabi Eigenmann (Switzerland); for the African Group, Oludayo Dada (Nigeria) and Adolphe Nahayo (Burundi); for the Asia-Pacific Group, Nassereddin Heidari (Iran) and Mingquan Wichayarangsarith (Thailand); and for GRULAC, Jeffrey Headley (Barbados) and Tamara Soto (Venezuela).

HIGH-LEVEL ROUNDTABLES: On Friday in plenary, UNEP introduced a summary of the outcomes of the high-level roundtable discussion on the financing of sound chemicals management (SAICM/ICCM.2/CRP.27), and the WHO introduced a summary of the outcomes of the high-level roundtable discussion on public health, the environment and chemicals (SAICM/ICCM.2/CRP.32). The Conference agreed to take note of these documents and annex them to the report of the meeting.

DATE AND VENUE OF THE NEXT MEETING

The Secretariat announced ICCM3 would be held in 2012. President Eržen asked for expressions of interest for holding ICCM3 back-to-back with other IOMC governing bodies, but no

proposals were received. The Bureau was mandated to make a decision concerning the date and venue of the ICCM3 on behalf of the Conference.

CLOSING PLENARY

In the closing plenary on Friday afternoon, participants adopted decisions on emerging issues, financial and technical resources, and the establishment of an OEWG.

Late Friday afternoon, President Eržen introduced the draft report of the Conference (SAICM/ICCM.1/L.1, SAICM/ICCM.1/L.1/Add.1 and SAICM/ICCM.1/L.1/Add.2) and the report was adopted with minor editorial amendments.

In his closing remarks, President Eržen thanked participants for their patience, hard work and willingness to achieve consensus. Highlighting that the ICCM process would not have been possible without it, CIEL thanked the IFCS. Several participants also thanked the Secretariat, interpreters and the Government of Switzerland.

President Eržen gavelled the meeting to a close at 6:50 pm.

A BRIEF ANALYSIS OF ICCM2

Three years ago in Dubai, the International Conference on Chemicals Management (ICCM) emerged from a multi-year, multi-stakeholder and multi-sectoral process to prepare a Strategic Approach to International Chemicals Management (SAICM). At ICCM1, participants adopted SAICM, which is made up of an Overarching Policy Strategy, the a Global Plan of Action (GPA) and the Dubai Declaration on International Chemicals Management. The main purpose of having a SAICM was to enhance coherence among international chemicals activities and agreements, and to cover gaps in international chemicals management, where they committed to the goal of the Johannesburg Plan of Implementation that by the year 2020, chemicals are used and produced in a way that protects human health and the environment throughout their life cycle.

ICCM2 was the first substantive meeting of the ICCM, providing an opportunity to take stock of the early phase of SAICM's implementation and focus on "housekeeping" issues to make the ICCM operational in the long-term. This meant ICCM2 participants were faced with a heavy agenda, requiring them both to look back on progress already achieved towards meeting their 2020 goal by assessing early reports on implementation and the work of the Quick Start Programme (QSP), and to look forward to the institutional arrangements, such as intersessional processes including for emerging issues and reporting, rules of procedure, and long-term financing, necessary to lay the groundwork for SAICM's success.

ICCM2 faced the additional challenge of convening immediately following the fourth Conference of the Parties to the Stockholm Convention on Persistent Organic Pollutants (POPs COP-4). COP-4's protracted late night negotiations eventually resolved by a compromise package in the early hours of Saturday morning, which left aside a great deal of carefully-negotiated agreements, had a lasting impact on exhausted delegates who feared a similar scenario might unfold at ICCM2. Despite this rocky beginning, as contact and drafting groups took on the

many agenda items, spirits lifted as the week wore on and ICCM2 reached resolution on nearly all matters before it on Friday afternoon.

This brief analysis looks at progress achieved on some of the key items considered at ICCM2 in the context of implications for the future of SAICM, notably rules of procedure, emerging issues and financing, as well as intersessional work and its possible impact on the Intergovernmental Forum on Chemical Safety (IFCS).

STILL A PLACE FOR OPEN DEBATE

ICCM1 had left unresolved the matter of its rules of procedure, and in October 2008 an informal Open-Ended Legal and Technical Working Group was convened to move the dialogue forward. While the work of this group did not lead to resolution, it meant that negotiations at ICCM2 could focus on the most entrenched divides. Many expected the establishment of a contact group at the start of the week, and few were surprised that the ICCM's decision-making rules were the crux of the issue.

While the EU and others called for decisions to be adopted by a two-thirds majority vote of government participants if no consensus could be reached, a group led by the US supported adoption of decisions only by consensus of government participants. In the end, the rule was left bracketed so that a consensus rule will apply by default, mirroring recent developments in other multilateral environmental agreements, including the UN Framework Convention on Climate Change, the Stockholm Convention and the Rotterdam Convention. On the other hand, by deleting references in the rules of procedure to restricted participation by non-governmental participants, if governmental actors so decided, ICCM2 cemented the right of non-governmental actors to be full participants. This confirmed it as an open, multi-stakeholder and participatory process, following in the footsteps of IFCS and the SAICM PrepCom. The willingness of Iran and China to compromise on this point was welcomed by other chemicals conventions, such as the Stockholm and Rotterdam conventions. NGOs were relieved that the SAICM process would continue its multi-stakeholder track-record. Many said that, given the multisectoral nature of the chemicals issue, participation by all stakeholders in the ICCM is essential to moving towards achieving the 2020 goal.

EMERGING ISSUES

If the rules of procedure confirmed that the ICCM will continue to be an open, participatory process, the decision of the ICCM to address new emerging issues confirmed that SAICM has real potential to contribute to global chemical safety. In Dubai, it was widely agreed that SAICM, and in particular the GPA, should be a dynamic, evolving instrument able to respond to new issues, and ICCM2 was tasked with developing a process for adding new activities to the GPA. Four emerging issues were also tabled for in-depth consideration: lead in paint, nanotechnology and nanomaterials, chemicals in products, and electronic waste (e-waste).

There was disagreement among delegates as to whether each of these issues was really "emerging," and on lead in paint in particular, Canada noted the issue was already well understood. Underscoring the impacts of lead on children's health, most

stakeholders heralded progress made towards a global phase-out of lead in automotive fuel, and saw ICCM as an opportunity to achieve similar results with respect to lead in paint. Stakeholders were optimistic that ICCM2 has now laid the groundwork for a successful global partnership to phase out lead in paint, which will be administered by UNEP and WHO, with some NGOs noting this represented a positive step towards meeting the 2020 goal.

While the issue of lead in paint lent itself to a phase-out project, it was understood that the emerging issues of chemicals in products and nanomaterials required a different approach. ICCM2's resolution to start addressing under SAICM information gaps regarding these two issues, which impact a wide range of consumer products, was seen by many actors as a means of both increasing the knowledge of all stakeholders and finally giving developing countries and NGOs a voice on how to address these issues. This important first step was also seen by some as a signal that SAICM may be able to pave the way for tangible actions to minimize risks arising from these ubiquitous products. On e-waste, African countries and NGOs underscored that other treaties do not meet the challenge posed by the need for green design and the flood of second-hand products to developing countries. Many saw ICCM's resolution to adopt an upstream approach to the problem as a demonstration both of SAICM's potential to complement existing instruments and of the ICCM's willingness to move the "life-cycle approach" from theory to reality.

THE CHILD LEAVES THE PARENT, AT LAST

In light of ICCM2's heavy agenda, there was broad agreement that intersessional work was necessary, with diverging views however on how to facilitate this work. Many donor governments were uncomfortable with the budgetary implications of establishing a permanent subsidiary body. Meanwhile, many developing countries and NGOs saw this as an opportunity to secure the IFCS' future by incorporating it into the ICCM as an advisory, subsidiary body, as proposed by IFCS itself.

Throughout the week, the IFCS was commended for its invaluable contribution to chemical safety, including "giving birth" to the SAICM process. Nevertheless, all donor countries made it clear that they wanted the child to detach itself from the parent, noting it had served its purpose, and insisted that while ICCM should inherit the qualities of the IFCS as an open, transparent, multi-stakeholder participatory forum, it needed to develop on its own. A few countries further noted that the IFCS lacked the institutional weight enjoyed by the ICCM, and had lost the financial and political support of key players, notably the US and Japan. Some NGO participants quipped that donor countries' unease stemmed from the IFCS having at times produced recommendations unpalatable to governments committed to free trade. For instance, IFCS Forum IV's declaration on nanotechnologies and nanomaterials recognizes the right of countries to reject nanomaterials in order to achieve the minimization of risks from those products, which contradicts one of the key principles of international trade under the WTO.

ICCM2 agreed to create an Open-Ended Working Group to carry out intersessional work until ICCM3, its permanent establishment being subject to review and confirmation by

ICCM3. The decision not to grant the wish of those who wanted to make IFCS the ICCM's OEWG, combined with IFCS's lack of donor support, led some to question whether the IFCS would be able to find the resources to survive. While some were still hopeful that the possibility remained that the IFCS could still be integrated into the SAICM structure at ICCM3, most recognized that this likely marked the end of the IFCS, which is seen as duplicating the work of the ICCM.

FINANCING

The need to provide financial and technical assistance for the implementation of the many activities in the GPA was also a central issue at ICCM2. Discussions began as many stakeholders stressed the success of the QSP, a dedicated, time-limited Trust Fund of voluntary contributions for enabling activities. Several participants, especially developing countries, called for the QSP's broadening and expansion. Others flagged the Global Environment Facility (GEF) as a long-term financing mechanism, noting that it already had a POPs focal area for implementing the Stockholm Convention.

After long hours in a contact group, effectively co-chaired by Abiola Olanipekun (Nigeria) and Jozef Buys (Belgium), ICCM2 reached agreement on a resolution to broaden the sources of financing available to SAICM, underscoring the need for all stakeholders to contribute, including industry and NGOs. ICCM2 also agreed to send a message to the GEF requesting that, during its fifth replenishment negotiations, it consider expanding its activities related to the sound management of chemicals.

Some stakeholders were disappointed that ICCM2 was not able to provide arrangements for long-term financing, with a few developing countries underscoring that the need for a dedicated SAICM financial mechanism was clear. Others took comfort in knowing that the resolution adopted on financing required extensive reports on these many sources of financial and technical assistance so that ICCM3 would be in a position to make provisions for long-term financing and technical assistance. Developed countries, and the EU and Switzerland in particular, underscored the QSP's establishment had hinged on its time-limited nature and stressed instead the need to encourage a broader range of financial and technical contributions, with the EU noting that it had provided over two-thirds of the QSP funds disbursed.

LOOKING AHEAD

As ICCM2 closed, participants congratulated each other on their work and were optimistic that they had laid the groundwork for a successful intersessional period leading up to ICCM3. Most importantly, by taking action on emerging issues and establishing sound processes both for the review and selection of emerging issues, and for the addition of new activities to the GPA, ICCM2 demonstrated that SAICM could truly contribute to global chemical safety.

As mentioned by several participants, however, the real test will be ICCM3 in 2012, when participants will have the tools to start evaluating progress in the implementation of SAICM and determine whether, with less than 10 years to go, the 2020 goal is within reach.

UPCOMING MEETINGS

SIXTY-SECOND WORLD HEALTH ASSEMBLY:

This meeting will convene from 18-20 May 2009 in Geneva, Switzerland. For more information, contact WHO; tel: +41-22-791-2111; fax: +41-22-791-3111; e-mail: info@who.int; internet: <http://www.who.int>

WHO/INTERNATIONAL PROGRAMME ON CHEMICAL SAFETY CONSULTATION ON DDT HAZARD ASSESSMENT:

This meeting will take place from 2-4 June 2009 in Geneva, Switzerland. For more information, contact WHO; tel: +41-22-791-2111; fax: +41-22-791-3111; e-mail: info@who.int; internet: <http://www.who.int/ipcs/events/2009/en/index.html>

44TH JOINT MEETING OF THE OECD CHEMICALS COMMITTEE AND WORKING PARTY ON CHEMICALS, PESTICIDES AND BIOTECHNOLOGY:

This meeting will take place from 8-12 June 2009 in Paris, France. For more information, contact OECD; tel: +33-1-45-24-82-00; fax: +33-1-45-24-85-00; e-mail: helen.fisher@oecd.org; internet: <http://www2.oecd.org/iomc/reports/EventReport.aspx?reports=true>

GLOBALLY HARMONIZED SYSTEM WORKSHOP FOR CLASSIFICATION AND LABELING OF CHEMICALS:

This meeting is scheduled to take place from 10-11 June 2009 in Doha, Qatar. For more information, contact: Abdulelah Alwadaee, UNEP; tel: +97-3178-12777; fax: +97-3178-25111; e-mail: Abdulelah.Alwadaee@unep.org.bh; internet: <http://www.unep.fr/ozonaction/events/index.htm>

REGIONAL CAPACITY BUILDING WORKSHOP ON THE GUIDELINES ON BEST AVAILABLE TECHNIQUES AND BEST ENVIRONMENTAL PRACTICES (BAT/ BEP) AND ENVIRONMENTALLY SOUND MANAGEMENT (ESM) OF POPS WASTES AND PCBs:

Taking place from 15-19 June 2009 in Nairobi, Kenya, this workshop is organized in cooperation with the UNEP Regional Office for Africa. The workshop objective is to assist parties with the implementation of the BAT and BEP guidelines in accordance with the requirements pertaining to Article 5 of the Stockholm Convention, and environmentally sound management of PCBs and POPs wastes in accordance with the Convention's requirements and Basel Convention technical guidelines. For more information, contact the Stockholm Convention Secretariat; tel: +41-22-917-8729; fax: +41-22-917-8098; e-mail: ssc@pops.int; internet: <http://chm.pops.int/Secretariat/Meetings/tabid/331/mctl/ViewDetails/EventModID/1007/EventID/53/xmid/1181/mret/t/language/en-US/Default.aspx>

MEETING OF THE BASEL CONVENTION COP9 EXPANDED BUREAU:

This meeting will take place from 23-24 June 2009 in Geneva, Switzerland. For more information, contact the Basel Convention Secretariat; tel: +41-22-917-8218; fax: +41-22-797-3454; e-mail: sbc@unep.ch; internet: <http://www.basel.int/meetings/meetings.html>

REACH EUROPE 2009: This conference, to be held from 24-25 June 2009 in Amsterdam, the Netherlands, will provide an opportunity to assess the current status of the regulation, and to learn from a wide range of organizations on how the regulations are working and what actions industry has taken

to ensure compliance. For more information, contact: tel: +44-1939-250383; fax: +44-1939-252416; e-mail: conferences@rapra.net; internet: <http://www.ismithers.net/conference-details.php?id=XREU09->

SEVENTH SESSION OF THE IMPLEMENTATION AND COMPLIANCE COMMITTEE OF THE BASEL CONVENTION:

This session will convene from 25-26 June 2009 in Geneva, Switzerland, immediately after the meeting of the Basel Convention COP9 Expanded Bureau. For more information, contact the Basel Convention Secretariat; tel: +41-22-917-8218; fax: +41-22-797-3454; e-mail: sbc@unep.ch; internet: <http://www.basel.int/meetings/meetings.html>

24TH MEETING OF THE OECD WORKING GROUP ON PESTICIDES:

This meeting is scheduled to take place from 29-30 June 2009 in Paris, France. For more information, contact OECD; tel: +33-1-45-24-82-00; fax: +33-1-45-24-85-00; internet: <http://www2.oecd.org/iomc/reports/EventReport.aspx?reports=true>

OECD CONFERENCE ON POTENTIAL ENVIRONMENTAL BENEFITS OF NANOTECHNOLOGY:

Organized by the OECD's Working Party on Manufactured Nanomaterials and Working Party on Nanotechnology, this conference is scheduled to take place from 15-17 July 2009 in Paris, France. For more information, contact OECD; tel: +33-1-45-24-82-00; fax: +33-1-45-24-85-00; internet: http://www.oecd.org/topic/0,3373,en_2649_37015404_1_1_1_1_37417,00.html

REACH ASIA 2009: REACH Asia 2009 will take place from 15-16 September 2009 in Shanghai, China. The meeting will explore themes related to Asia's role as an engine of growth in the global economy, and the costs and opportunities associated with the EU's REACH Regulation. For more information, contact: tel: +44-1939-250383; fax: +44-1939-252416; e-mail: conferences@rapra.net; internet: <http://www.ismithers.net/conference-details.php?id=XREAS09>

REGIONAL AWARENESS RAISING WORKSHOP ON ENHANCING COOPERATION AND COORDINATION FOR THE IMPLEMENTATION OF THE BASEL, ROTTERDAM AND STOCKHOLM CONVENTIONS:

This workshop is organized by the Stockholm Convention Secretariat and is tentatively scheduled to take place on 1 October 2009, in Pretoria, South Africa. It aims to offer a holistic approach to enhancing cooperation and coordination when implementing the three conventions at the national and regional levels. For more information, contact Stockholm Convention Secretariat; tel: +41-22-917-8729; fax: +41-22-917-8098; e-mail: ssc@pops.int; internet: <http://chm.pops.int/Convention/Meetings/UpcomingMeetings/tabid/521/language/en-US/Default.aspx>

OPEN-ENDED WORKING GROUP ON MERCURY: This meeting will convene from 19-23 October 2009, in Bangkok, Thailand. The meeting will prepare for the first intergovernmental negotiating committee (INC) on mercury, scheduled to convene in 2010. In particular, the meeting will discuss the negotiating priorities, timetable and organization of work for the INC. For more information, contact UNEP Chemicals; tel: +41-22-917-8183; fax: +41-22-797-3460; e-mail: mercury@chemicals.unep.ch; internet: <http://www.chem.unep.ch/mercury/>

EXTRAORDINARY MEETING OF THE CONFERENCES OF THE PARTIES TO THE BASEL, ROTTERDAM AND STOCKHOLM CONVENTIONS:

The ExCOP of the three chemicals conventions will take place in February 2010, at a venue to be decided, back-to-back with the eleventh special session of the UNEP Governing Council/ Global Ministerial Environment Forum. These simultaneous meetings are aimed at giving high-level political support to the process of enhancing cooperation and coordination among the three conventions. For more information, contact: a) Rotterdam Convention Secretariat; tel: +41-22-917-8296; fax: +41-22-917-8082; e-mail: pic@pic.int; internet: <http://www.pic.int>; b) Stockholm Convention Secretariat; tel: +41-22-917-8729; fax: +41-22-917-8098; e-mail: ssc@pops.int; internet: <http://www.pops.int>; c) Basel Convention Secretariat; tel: +41-22-917-8218; fax: +41-22-797-3454; e-mail: sbc@unep.ch; internet: <http://www.basel.int>

SEVENTH SESSION OF THE OPEN-ENDED WORKING GROUP OF THE BASEL CONVENTION: This meeting is scheduled to take place from 10-14 May 2010, in Geneva, Switzerland. For more information, contact the Basel Convention Secretariat; tel: +41-22-917-8218; fax: +41-22-797-3454; e-mail: sbc@unep.ch; internet: <http://www.basel.int/meetings/meetings.html>

FIFTH MEETING OF THE CONFERENCE OF THE PARTIES TO THE ROTTERDAM CONVENTION: This meeting will take place from 20-24 June 2011, in Geneva, Switzerland. For more information, contact the Rotterdam Convention Secretariat; tel: +41-22-917-8296; fax: +41-22-917-8082; e-mail: pic@pic.int; internet: <http://www.pic.int>

THIRD INTERGOVERNMENTAL REVIEW OF THE GLOBAL PROGRAMME OF ACTION FOR THE PROTECTION OF THE MARINE ENVIRONMENT FROM LAND-BASED POLLUTION (GPA): The GPA review is expected to take place sometime in 2011 at a location to be determined. For more information, contact: UNEP/GPA Coordinator; tel: +31-70-311-4460; fax: +31-70-345-6648; e-mail: gpa@unep.nl; internet: <http://www.gpa.unep.org>

FIFTH MEETING OF THE CONFERENCE OF THE PARTIES TO THE STOCKHOLM CONVENTION (POPs COP5): This meeting is scheduled to take place in May 2011, in Argentina. For more information, contact: the Stockholm Convention Secretariat; tel: +41-22-917-8729; fax: +41-22-917-8098; e-mail: ssc@pops.int; internet: <http://www.pops.int>

INTERSESSIONAL AD HOC OPEN-ENDED WORKING GROUP OF ICCM: This meeting is tentatively scheduled to take place in 2011, at a venue to be announced. For more information, contact the SAICM Secretariat; tel: +41-22-917-8532; fax: +41-22-797-3460; e-mail: saicm@chemicals.unep.ch; internet: <http://www.saicm.org>

THIRD SESSION OF THE INTERNATIONAL CONFERENCE ON CHEMICALS MANAGEMENT (ICCM3): ICCM3 will take place in 2012 at a venue to be determined. For more information, contact the SAICM Secretariat; tel: +41-22-917-8532; fax: +41-22-797-3460; e-mail: saicm@chemicals.unep.ch; internet: <http://www.saicm.org>

GLOSSARY

BCRC	Basel Convention Regional Center
CIEL	Center for International Environmental Law
CRP	Conference Room Paper
DTIE	UNEP's Division of Technology, Industry and Economics
EHF	Environment and Health Fund
GEF	Global Environment Facility
GHS	Globally Harmonized System of Classification and Labelling of Chemicals
GPA	Global Plan of Action
ICCA	International Council of Chemical Associations
ICCM	International Conference on Chemicals Management
IFCS	Intergovernmental Forum on Chemical Safety
IOMC	Inter-Organization Programme for the Sound Management of Chemicals
IPCP	International Panel on Chemical Pollution
IPEN	International POPs Elimination Network
IPCC	Intergovernmental Panel on Climate Change
ITUC	International Trade Union Confederation
IUPAC	International Union of Pure and Applied Chemistry
MEA	Multilateral environmental agreement
OELTWG	Open-Ended Legal and Technical Working Group
OEWG	Open-Ended Working Group
OPS	Overarching Policy Strategy
PFC	Perfluorinated chemicals
QSP	Quick Start Programme
SAICM	Strategic Approach to International Chemicals Management
WHA	World Health Assembly