

## ICCM HIGHLIGHTS:

### SUNDAY, 5 FEBRUARY 2006

On Sunday, delegates at the International Conference on Chemicals Management (ICCM) met in plenary briefly in the morning and in the late evening to hear progress reports. The Committee of the Whole (COW) met throughout the day and in the evening to discuss outstanding issues regarding the draft Overarching Policy Strategy (OPS), Global Plan of Action (GPA), and ICCM resolutions. A contact group on principles and approaches convened in the morning, and a contact group on financial issues met throughout the day and into the evening.

#### PLENARY

COW Chair Viveka Bohn noted progress made on the OPS and draft resolutions, but stressed that significant work remained to be done. Reporting on the work completed in his group, finance group Co-Chair Jean-Louis Wallace (Canada) noted that time was running out and text on the proposed Quick Start Programme and financing may be at risk. Principles and approaches contact group Chair Donald Hannah (New Zealand) said participants still needed to compromise on key issues. Delegates agreed to continue working in the contact groups.

Delegates approved the nomination of Fatemeh Vaez Javadi, Iranian Vice-President and Head of Department of Environment, as the Asian representative on the ICCM Bureau. ICCM President Arana reported that Bureau members had appointed Rodica Morohoi (Romania), Abubakar Rajab (Tanzania), David Brown (US), Seyed Ali Mohammad Mousavi (Iran) and Fernando Lugris (Uruguay) as representatives on the Credentials Committee. President Arana said Maged George Elias Ghattas, Egyptian Minister of State for Environmental Affairs, would assist him in the preparation of a high-level declaration.

Late Sunday night, President Arana heard a report on progress made by the finance contact group and said that the COW still had some unfinished work. He reported on consultations on the high-level declaration, indicating that he would distribute a revised text on Monday. Participants also agreed to annex to the report of the meeting a submission by the heads of agencies cooperating in the IOMC (SAICM/ICCM.1/CRP.1). IPEN drew attention to a resolution from the 7<sup>th</sup> Global Civil Society Forum.

#### COMMITTEE OF THE WHOLE

The COW discussed several documents in an attempt to resolve remaining differences. This included consideration of the draft GPA (SAICM/ICCM.1/4) and draft resolutions on

implementation arrangements for SAICM, a tribute to the ICCM host country, and the future role of IFCS (SAICM/ICCM.1/5).

**DRAFT GPA:** The US said further clarification on the GPA was needed in light of additions made to the list of activities, without negotiation or discussion. TANZANIA and the EU responded that the draft GPA had been carefully discussed from region to region. Regarding the GPA executive summary, delegates discussed whether to include the term “voluntary” in relation to activities undertaken by stakeholders. The US supported the term, while the EU, IPEN, BAHRAIN, TANZANIA and NORWAY argued against its inclusion, noting it was redundant, as the GPA was clearly non-binding. IPEN added that the use of “voluntary” in the text could be misinterpreted to mean that activities would be voluntary for all stakeholders, regardless of their government policy. Delegates considered a US compromise that retained the word “voluntary” in reference to the plan itself, rather than activities carried out under the plan. Agreement was finally reached in the evening by amending a reference to “voluntary activities that may be undertaken” to “activities that may be undertaken voluntarily.” However, differences remained in two other parts of the text, including Table C.

Noting that Table C in the GPA lists activities that have not been agreed upon, CANADA, supported by JAPAN, ARGENTINA and UKRAINE, proposed its deletion and urged adding text stating that a process be initiated for continuing discussion on activities listed in Table C. TANZANIA, ICFTU and others opposed this suggestion. Chair Bohn established a drafting group to discuss the outstanding issues.

Chair Bohn then turned to paragraph 6(d) of the draft GPA, which refers to activities that should be given priority in relation to chemicals that pose unreasonable risks to human health and the environment. She explained that this paragraph needed to have a footnote regarding a group of chemicals which might be prioritized for assessment, which was included in a similar paragraph in the draft OPS. NEW ZEALAND said the text of the footnote was repeated in paragraph 8 of the GPA (measures to support risk reduction), and wondered whether such repetition added any value to the document. Chair Bohn proposed deleting the footnote to avoid repetition. The EU urged keeping all footnotes and the text of paragraph 8.

On the Secretariat's introductory text proposing to defer a SAICM decision on hosting the Information Exchange Network on Capacity Building for the Sound Management of Chemicals (INFOCAP), ARGENTINA urged that the issue be considered

at this meeting so as not to lose the valuable work done by INFOCAP since 2000. IFCS explained that it had served as interim Secretariat for INFOCAP, but that its Steering Committee had recommended the SAICM Secretariat as the permanent home of INFOCAP. The COW agreed to include this recommendation in the final report.

The RUSSIAN FEDERATION proposed amending text on activities relating to asbestos. Chair Bohn said this was agreed text, and it should not be reopened. After lengthy discussions, the COW agreed to include a reference to this concern in the ICCM report.

**DRAFT OPS:** In the evening, contact group Co-Chair Hannah reported progress in the contact group on principles and approaches, but noted differing positions on risk reduction references to the precautionary approach (paragraph 14e). The COW agreed to text on principles and approaches (paragraph 20) based on a proposal by Chair Bohn to remove, among other things, references to specific Rio Principles.

Delegates finalized the introduction to the annex by simplifying the text. On the section on scope, the US said it would be willing to remove the footnote if others agreed to remove from the chapeau a reference to the scope being “not limited to” those areas listed in the text. The EU, supported by TANZANIA, rejected this suggestion, with the EU arguing that it would create a “loophole” that limited the SAICM’s scope to agricultural and industrial chemicals. No agreement was reached.

On the dates of future ICCM sessions, the US bracketed the text pending resolution of financial issues in the contact group.

**IMPLEMENTATION ARRANGEMENTS:** IPEN introduced amendments to the draft resolution on implementation arrangements (SAICM/ICCM.1/CRP.15), including paragraphs on establishing SAICM focal points and terms of reference for a subsidiary body. INDIA and others said they were not ready to accept the added paragraphs.

The EU also introduced amendments (SAICM/ICCM.1/CRP.19), including a request to UNEP to convene a meeting of an open-ended technical and legal working group to work on outstanding issues before the next ICCM.

Delegates then considered draft text submitted by IPEN and others calling for civil society focal points and the establishment of a subsidiary body to continue intersessional work through to ICCM2. Participants approved a suggestion by Chair Bohn for text supporting the election of regional focal points instead.

The US repeated its preference to remove references to international financial institutions (IFIs). VENEZUELA proposed text supporting South-South cooperation. There was also discussion on proposals by the EU, and by SWITZERLAND and NORWAY, addressing financial issues.

On the draft resolution on implementation arrangements (SAICM/ICCM.1/CRP.17), the US said it could not agree to text on building capacities and institutional arrangements, as it was linked to financial considerations. The text remained in brackets.

**RESOLUTIONS ON TRIBUTES TO HOST COUNTRY AND IFCS:** Participants approved draft resolutions thanking the host government of the United Arab Emirates and addressing the role of IFCS in the SAICM process (SAICM/ICCM.1/5.Res.2-3).

#### **CONTACT GROUPS**

**FINANCIAL CONSIDERATIONS:** Delegates met throughout the day to continue discussing the financial section of the draft OPS (SAICM/ICCM.1/3, paragraph 19), and the Quick Start Programme arrangements (SAICM/ICCM.1/CRP.8/Rev.1).

Drafting went late into the night, with the group breaking out into a smaller cluster to try to resolve specific issues.

Delegates agreed to refer to “national, regional and global efforts” in the chapeau of paragraph 19. Initial objections were voiced by one country to referring to Principle 7 of the Rio Declaration in the chapeau, though later it agreed, provided no principles were mentioned in the OPS section on principles and approaches. Following consultations, the same country agreed to use the term “additional” (resources) in two out of three places in the chapeau.

One country objected to language that might lead to the creation of a new chemicals focal area in GEF. This position was supported by a country group, although other participants preferred retaining the idea of a new GEF window.

On strategic priorities and institutional arrangements (Annex 1 of the Quick Start Programme proposal), several developing countries proposed wording that underlined the role of national priorities, and some priority activity areas were specified to replace the original text of the proposal.

After prolonged discussion the group decided to drop the list of specific enabling activities in the work areas of the Quick Start Programme. Headway was made in the discussion of the Programme’s implementation, with mention of the World Bank remaining in brackets, as well as the governance modalities of the Programme’s Trust Fund Implementation Committee and the Executive Board.

The terms of reference for the Quick Start Programme Trust Fund (Annex 1 of the proposal) were mostly agreed by the evening. However, a number of differences, including on references to IFIs and some technical issues, persisted, and the contact group reassembled to address those after the late night plenary.

**PRINCIPLES AND APPROACHES:** The contact group met in the morning to finalize its work. Participants agreed to work on drafting possible texts for consideration by the COW, rather than trying to reach agreement on outstanding issues. Two possible formulations for the precautionary approach in the OPS objectives section were proposed, both of which included a reference to the minimization of significant adverse effects of chemicals’ use and production on health. Delegates merged the two proposals into a single paragraph, which included various options on how to word the application of the precautionary approach. On the OPS principles and approaches section, delegates agreed to base discussions on the proposal by Canada and others (SAICM/ICCM.1/CRP.9). Discussions focused on the chapeau, which was divided into two sections so as to distinguish principles and approaches contained in non-legally-binding instruments from legally-binding agreements, of which not all states were parties and which should guide SAICM stakeholders “when applicable to them.”

#### **IN THE CORRIDORS**

With numerous amendments or additions proposed and tabled throughout Sunday, several participants were quick to praise Chair Bohn’s handling of the COW. However, all bets about the ICCM’s outcome appeared to be off with the clock rapidly counting down towards the end of the meeting. One delegate expressed confidence that the SAICM would be adopted and would be a major success for international chemicals management, especially for developing countries. However, less optimistic participants argued that an outcome that was watered down too much in the search for consensus would be too weak to be effective or meaningful.