



SAICM PREPCOM3 HIGHLIGHTS TUESDAY, 20 SEPTEMBER 2005

On the second day of the meeting, participants at SAICM PrepCom-3 convened in morning and afternoon plenary sessions to discuss the overarching policy strategy (OPS). A contact group on the global plan of action (GPA) met throughout the day, and another on financial considerations met in the afternoon.

PLENARY

OVERARCHING POLICY STRATEGY: Matthew Gubb, Secretariat, introduced the draft OPS (SAICM/PREPCOM.3/3), explaining it included text from PrepCom-2 on scope, statement of needs and objectives; and text developed by the Secretariat, under direction of the President, incorporating the results of regional consultations and country submissions on implementation, financing and taking stock of progress.

Introduction: The US, supported by INDIA, SOUTH AFRICA and IRAN, said the first introductory paragraph should: recognize existing international mechanisms; exclude references to SAICM's implementation; and include language indicating that achieving goals is voluntary, that actions "may" rather than "will" be guided by the GPA, and that the GPA contains a toolbox of optional concrete measures. SWITZERLAND, supported by the EU, NIGERIA and KENYA, clarified that although the SAICM is voluntary, the Johannesburg goal is binding. JAPAN agreed with the US that the word implementation was too strong, as the draft GPA has not been fully discussed. EGYPT said the reference to the word implementation should be maintained.

SOUTH AFRICA, with EGYPT, suggested adding reference to the Johannesburg Summit 2020 goal. CANADA suggested bringing "principles and approaches" into the preamble. IRAN opposed deleting the reference to time frames, as they are part of the draft GPA. Responding to a US suggestion, the EU preferred building upon the existing work and achievement of the Inter-Organization Programme for the Sound Management of Chemicals (IOMC) participating organizations, instead of "internationally agreed upon approaches." INDIA opposed naming specific organizations, and the US agreed.

SWITZERLAND and CANADA proposed adding a reference to the positive effects of chemicals in fighting disease and maintaining or increasing living standards and, with the EU and JAPAN, said the achievements of international programmes and organizations should be noted.

On the second introductory paragraph, the EU suggested the list of stakeholders include "regional economic organizations" and references to economic activities and development

cooperation. The EU, the PHILIPPINES and CROATIA favored retaining the list of key stakeholders. A small drafting group, facilitated by Brazil, was formed to revise the introductory text of the OPS.

Scope: The US, opposed by AUSTRALIA, BRAZIL, the EU, JAPAN and NORWAY, proposed revising the text by excluding chemicals covered by other regulatory regimes, and limiting SAICM to chemicals of greatest concern. The INTERNATIONAL POPS ELIMINATION NETWORK (IPEN) reminded delegates that SAICM should not be modeled after national regulatory programmes. Nigeria, for the AFRICAN GROUP, opposed changing the current text. The INTERNATIONAL CHAMBER OF COMMERCE (ICC) warned against introducing measures inhibiting the production of highly valuable products. Mexico, for GRULAC, said it supported the current text. Delegates agreed negotiations would continue based on the current draft.

Statement of Needs: AUSTRALIA, with JAPAN, considered the section too negative, and suggested adding a paragraph recognizing positive steps. CANADA called for better identification of risk assessments and risk reduction measures based on improved science. The RUSSIAN FEDERATION proposed adding references to mitigating social consequences linked to the elimination of chemicals.

On risk reduction, the AFRICAN GROUP proposed mentioning reproductive, developmental, immune and neurological disorders. The EU, supported by JAPAN and AUSTRALIA, suggested replacing text on chemicals that could cause cancer and other malignant conditions by "harmful chemicals," while IPEN strongly supported listing adverse effects. JAPAN said that zero risk is not achievable. The US proposed references to science-based decision making and cost-benefit analysis. The INTERNATIONAL COUNCIL OF CHEMICAL ASSOCIATIONS (ICCA), supported by IPEN, suggested drawing attention to inappropriate uses of chemicals.

On capacity building and technical assistance, IRAN, supported by MOROCCO, proposed text on technology transfer to developing countries and countries with economies in transition (CEITs) for the development of safer alternatives.

On illegal international traffic, SENEGAL, supported by MOROCCO, called for strengthening the capacity of border control authorities in developing countries and CEITs.

Objectives: On risk reduction, the AFRICAN GROUP, AUSTRALIA and the EU, opposed by EGYPT, proposed revising the preamble to broaden the reference of the strategic approach to all listed objectives. The US, supported by CANADA, called for a science-based, transparent approach



to risk assessment. CANADA, the EU and JAPAN proposed various revisions to text on emerging issues. With ICCA and AUSTRALIA, they objected to “global instruments” as the way to address new and emerging issues. AUSTRALIA and INDIA suggested deleting reference to the precautionary approach, with AUSTRALIA noting that it was already contained in the principles and approaches section and in the Johannesburg Summit 2002 goal. ChemSec and the EU opposed the deletion, with the EU noting that text on precaution had been carefully worded to avoid such a debate. INDIA suggested deleting references to workers and to reducing hazardous wastes generation. The International Confederation of Free Trade Unions (ICFTU) said the reference to workers helps identify target groups and prioritize action.

Noting that the OPS should include an objective related to substances of concern, NORWAY introduced a proposal presented with Switzerland to add a new paragraph for substances that pose unmanageable risks (SAICM/PRECOM.3/CRP.15). EGYPT and JAPAN opposed the proposal, with ICCA noting it would prefer referring to “uses” rather than to specific chemicals. IPEN, with ICFTU, supported the proposal, and suggested adding immunotoxicants and neurotoxicants to the list of substances posing unmanageable risks. GRULAC proposed phasing out chemicals which cannot be handled without significant risks to human health or the environment by 2020 (SAICM/PRECOM.3/INF/25). It was agreed that Norway and Switzerland would consult with interested delegations to work on a compromise text.

Regarding the subsection on knowledge and innovation, the US tabled its comments (SAICM/PRECOM.3/CRP.17) suggesting a number of deletions, including a reference to safe management “throughout the life-cycle” of chemicals, which was opposed by CROATIA.

On information on chemicals, the ICC, opposed by IPEN, objected to the reference to “mixtures and articles.” The US requested access to information be “appropriate and consistent with national laws.”

On confidentiality of information, the US considered it should be “protected.” IPEN, with CANADA, suggested that confidentiality provisions be balanced against the public’s need for information. Noting that it is not SAICM’s mandate to protect business information, but rather to ensure transparency, the EU, supported by IPEN, and opposed by the ICCA, said no separate provision was required. SOUTH AFRICA said information on risks should not be covered by the confidentiality provision.

On common definitions and criteria, many countries suggested building on the Globally Harmonized System (GHS), with THAILAND suggesting it be used to identify the hazards of chemicals. KENYA and JAMAICA called for recognition of the media’s involvement in disseminating risk information.

Financial Considerations: IPEN introduced its proposal on internalization of costs (SAICM/PRECOM.3/INF/12). The AFRICAN GROUP supported the proposal and, with CAMBODIA, suggested removing brackets on the request that the Global Environment Facility (GEF) and the World Bank begin facilitating the design and establishment of a fund. The US suggested using voluntary funds. INDIA said internalization of costs and private sector contributions were unreliable, and recommended establishing a global partnership fund for projects and capacity building. SWEDEN called attention to its report on the benefits of chemicals risk management. The INTERNATIONAL LABOUR ORGANIZATION (ILO) said international institutions’ resource prioritization should come from their governing bodies. SWITZERLAND introduced its proposal on financing (SAICM/PRECOM.3/CRP.11), developed with Norway and supported by CROATIA, stressing

that implementation will require both an initial enabling phase and subsequent implementation phases, with different support mechanisms. CANADA and the US stressed the need to make efficient use of existing resources and mechanisms. The EU said national resource mobilization, bilateral aid and private sector contributions were important. ALGERIA proposed creating an international financial mechanism.

GRULAC called for the addition of a new area of activity in the GEF and, with CAMBODIA, INDIA, IRAN, and SENEGAL, called for additional resources. JAPAN said current official development assistance and financial mechanisms are sufficient. Egypt, for the ARAB GROUP, called for clear, specific financial considerations to ensure implementation. CHINA pointed to the success of multilateral funds, and MADAGASCAR suggested mentioning it in the paragraph on the global partnership fund. A contact group, co-chaired by S. Ali. M. Mousavi (Iran) and Jean-Louis Wallace (Canada), was formed to continue deliberations.

CONTACT GROUPS

FINANCIAL CONSIDERATIONS: On financial considerations, some delegations proposed calling for increased industry participation, internalization of costs, and information exchange, while others proposed encouraging such participation on a voluntary basis. The contact group agreed to merge the introduced proposals, enclosed in brackets, and to report on progress to plenary.

GLOBAL PLAN OF ACTION: Chair Jamidu Katima (Tanzania) stressed that the draft plan is a guidance document and not a legally-binding instrument. Regarding the nature of the document, the group agreed to compromise text with reference to “voluntary activities.” One regional group, supported by others, proposed to replace “concrete measures” with “strategic areas.” The group accepted a proposal linking the draft OPS and the draft GPA, and agreed to text stating that measures and activities contained in the GPA are designed to fulfill commitments expressed in the OPS and in the high-level declaration.

Participants opposed a proposal to delete the “targets/timetables” column in the concrete measures table, with one delegation stressing that SAICM is not intended to modify existing domestic and international legal obligations.

On a proposal for providing financial and technological support for SAICM, participants debated whether this matter should be included in the draft GPA or in the OPS.

On prioritization of actions, many participants opposed a proposal to delete a list of specific chemicals targeted for minimizing or reducing risks. The group agreed to a compromised text that leaves out “heavy metals” from the list. The group also agreed to consider a proposed list of common global priorities.

Several footnotes were introduced in order to allow delegates to revisit some issues, including on: conflict between SAICM and existing domestic and international legal obligations; financial and technological support for SAICM; phased implementation; and targeted priority actions.

IN THE CORRIDORS

As PrepCom-3 entered into substantive deliberations, a number of delegates expressed dismay at attempts by a handful of delegations to reopen debate on previously agreed text in the OPS. In particular, some disagreed with a proposal to “clarify” the scope of the SAICM by explicitly excluding a number of substances, such as cosmetics and pharmaceuticals, viewing this as an attempt to “narrow down” the scope of the SAICM. Those proposing the changes, however, argued that such specificity could enhance the efficiency of the SAICM. Others were troubled that attempts to reopen a delicately balanced compromise text threatened to overwhelm an already complex final PrepCom.