



## SAICM PREPCOM3 HIGHLIGHTS THURSDAY, 22 SEPTEMBER 2005

On the fourth day of SAICM PrepCom-3, discussions on the draft overarching policy strategy (OPS) continued in plenary in the morning and afternoon. Contact groups on the draft global plan of action (GPA) and financial considerations met throughout the day, and on implementation in the afternoon and evening. Small drafting groups on the OPS sections on risk reduction and knowledge and information, and on the statement of needs, also met.

### PLENARY

**OVERARCHING POLICY STRATEGY: Statement of Needs:** Matthew Gubb, Secretariat, introduced the revised statement of needs section of the draft OPS (SAICM/PREPCOM.3/CRP.19). President Bohn opened discussion, and subsequently asked a small drafting group, to be facilitated by Argentina, to discuss outstanding issues.

AUSTRALIA, supported by JAPAN and the US, suggested a further opening paragraph dealing with the progress achieved in chemicals management at the international, national and industry levels since the Rio Summit.

On the existing opening paragraph dealing with growing gaps in chemicals management, the EU suggested, and the Committee agreed, to delete the qualifying term "national" before governance. The EU, with AUSTRALIA and NIGER, but opposed by the US, supported retaining references to gaps in existing agreements and between ambition and reality. CANADA, supported by JAPAN, proposed to instead point to the growing urgency for all countries to manage chemicals more effectively in order to achieve the Johannesburg Summit 2020 goal.

On the paragraph on policies and programmes for the sound management of chemicals, the INTERNATIONAL LABOUR ORGANIZATION noted that adding text in the chapeau, specifically noting the Stockholm and Rotterdam Conventions, left out agreements on the safety of chemicals at work, and proposed adding reference to such agreements. CHINA suggested adding a reference to international agreements in general. The Committee agreed to modify the chapeau with the addition by China, and to delete the list of international instruments.

On the subparagraph on the existing policy framework for chemicals, NORWAY, supported by SEYCHELLES, said it should be described as inadequate, while the US, with JAPAN, suggested it needs to be further strengthened. After informal consultations, ARGENTINA suggested, and the Committee agreed to, compromise text indicating that the framework is not completely adequate and needs to be further strengthened.

On the subparagraph on coherence and synergies between existing institutions and processes, President Bohn suggested that they could be described as weak and as needing further improvement. The US did not agree they were weak.

On the subparagraph on information, Nigeria, on behalf of the AFRICAN GROUP, suggested saying that there is limited or no information, or limited access to existing information in relation to chemicals currently in use, rather than in relation to "certain" chemicals. The US, supported by UKRAINE, stressed it was inaccurate to claim there was no chemicals-related information available. The INTERNATIONAL COUNCIL OF CHEMICAL ASSOCIATIONS agreed, and suggested adding the phrase "in certain countries." CANADA said that the lack of information was a problem in all countries and, supported by the EU, suggested that the sentence could refer to many chemicals. The INTERNATIONAL CONFEDERATION OF FREE TRADE UNIONS proposed removing any qualifier before "chemicals." EGYPT suggested text noting that this was the case particularly in developing countries. After consideration in the drafting group, ARGENTINA suggested compromise text stating that there is often limited or no information on many chemicals currently in use, and often limited or no access to already existing information.

On capacity, ARGENTINA reported that that the drafting group had agreed on text saying that many countries lack the capacity to soundly manage chemicals at the national, subregional, regional and global levels.

On resources, language was considered by the drafting group, and ARGENTINA reported that the group had agreed to the text as suggested in the draft document.

On risk assessment and management, the AFRICAN GROUP suggested moving this paragraph to the GPA.

On risk reduction, PAKISTAN proposed adding the general population to the list of affected groups. The EU opposed deleting elimination of risks at the beginning of the paragraph and suggested retaining a reference to "susceptible environments."

Regarding conditions resulting from exposure to chemicals, the INTERNATIONAL POPS ELIMINATION NETWORK (IPEN), supported by CANADA, but opposed by the EU, AUSTRALIA and the US, endorsed the explicit listing of a number of conditions.

IPEN, supported by AUSTRALIA, asked to replace the term "sound science" with "objective application of the scientific method."

In the closing sentence on the availability of alternatives, the EU, supported by CANADA, proposed wording on technical cooperation between developed countries and developing countries and countries with economies in transition (CEITs) for developing safer alternatives. The AFRICAN GROUP supported this, and



proposed adding a reference to assistance for the reduction of illegal trafficking. AUSTRALIA suggested to refer simply to the need for access to affordable and safer alternatives. CANADA suggested breaking the paragraph up into sub-points.

In the section on governance, Croatia, for the CENTRAL AND EASTERN EUROPEAN GROUP, suggested including indigenous communities as stakeholders.

**Risk reduction:** The Committee asked a drafting group, facilitated by Brazil, to address outstanding issues in the draft risk reduction section of the OPS (SAICM/PREPCOM.3/CRP.21).

**Knowledge and information:** The Committee asked the small drafting group facilitated by Brazil to also address outstanding issues in the draft knowledge and information section of the OPS (SAICM/PREPCOM.3/CRP.20).

**Illegal international traffic:** President Bohn introduced the revised draft text (SAICM/PREPCOM.3/CRP.24). On preventing illegal international traffic, delegates adopted the text with a grammatical clarification from the Secretariat. On strengthening mechanisms, NIGER, with CROATIA, supported including a reference to control mechanisms. The US suggested retaining control mechanisms as well as including language on domestic and regional implementation. CUBA proposed that the text refer to mechanisms in general. The Committee accepted the text with the amendments by Niger, the US and Cuba. On promoting information sharing, the Committee accepted the draft text without amendment.

#### CONTACT GROUPS

**GLOBAL PLAN OF ACTION:** The group continued to discuss measures and activities on heavy metals posing serious risks to human health and the environment. Participants considered measures and activities relating to: the integrated approach to chemicals management; reduction of risks caused by lead, mercury and cadmium; further action on mercury, including a possible legally-binding instrument and a global partnership; and generation and sharing of information detailing the inherent hazards of all chemicals in commerce. Most of the measures and activities were accepted, while some remained to be resolved pending the outcome of OPS discussions.

Delegates further discussed the subset of measures and activities possibly falling outside the scope of SAICM. Participants agreed to delete measures and activities on transport and air pollution.

With several amendments, the group also agreed on the subset of measures and activities that might be inconsistent with existing international policies.

On the subset of measures and activities that might be too prescriptive, participants debated, but could not agree on, whether to delete measures and activities on liability and compensation.

The group also revisited the GPA's executive summary, considering a proposal containing a list of common global priorities. Debates centered on issues relating to: minimization of risks from mercury and other "heavy metals" or "chemicals"; reduction of volume and toxicity of hazardous wastes; phasing out of highly toxic pesticides; and promotion of industry's responsible care and product stewardship. The group also considered a subset of new proposed activities. The group completed its work shortly after 11:00 pm, with many activities noted with asterisks indicating further discussion is needed.

**FINANCIAL CONSIDERATIONS:** The contact group on financial considerations met throughout the day to work on bracketed text, including newly introduced proposals. The introduction of new text in the chapeau requiring financial assistance from developed countries to developing countries and CEITs as a precondition for achieving SAICM objectives generated heated discussion. The text remained bracketed. The group removed some brackets in the subparagraph on industry initiatives.

A delegation introduced a new paragraph on internalization of costs, which was discussed briefly and left entirely bracketed. On the global partnership fund, discussion centered on the need for initial funding to start up work on SAICM objectives. There was disagreement about who would administer the fund, with some delegations proposing UNEP, and others suggesting it be left open.

Discussion on specific actions on the global partnership fund included the role of the SAICM secretariat and IOMC. Some delegations preferred to defer issues of institutional arrangements pending decisions on other parts of the OPS. On the issue of integrating SAICM objectives into multilateral and bilateral development assistance programming, there was intensive debate over the phrase "taking into account the costs of inaction." Agreement was reached on sub-paragraphs on programming: on concerning donor country recognition of SAICM objectives in planning; and on inviting international financial institutions to include SAICM objectives in their activities. On the future role of the Global Environment Facility (GEF) in SAICM, delegates considered a proposal to open a new focal point for SAICM-related activities. While some donor countries were open to that possibility, others wanted to delete the paragraph altogether, noting they could not agree to opening new focal points in the GEF.

**IMPLEMENTATION:** On implementation at the national level, a developed country, supported by a number of developing countries, tabled a proposal on a detailed phased approach, which a number of other delegations found to be too prescriptive. On overall institutional arrangements, delegations suggested mentioning regional and national coordination and agreed to refer to an arrangement rather than a "central body" for national implementation. Some delegations only wanted to keep the part on governments implementing the SAICM on an inter-institutional basis, while others felt the role of national focal points should be detailed as well.

Delegations expressed various positions on the requirement and powers of an oversight body, with one delegation opposing it on principle. Others clarified that they did not want to set up new structures, but rather to ensure that the implementation of SAICM is overseen through a multi-sectoral, multi-stakeholder process. Delegates agreed on the requirement for periodic oversight through a review conference, with the majority preferring this be done by the ICCM. One regional group expressed a preference for the IFCS. Others recognized the many parallels between IFCS work and the SAICM, and the difficulties in funding both. Discussions continued on the frequency of review conferences, with delegates split between those supporting five-year intervals, and those stressing the need for conferences to be held initially every two to three years to ensure implementation of SAICM. Delegates then discussed intersessional activities, such as regional coordination, and the questions of the bureau and secretariat.

Regarding the secretariat, the contact group heard a proposal to appoint IOMC, and give UNEP a leading role, while some regional groups wanted the secretariat to be comprised of UNEP and the World Health Organization. The contact group completed its work shortly after 11:00 pm.

#### IN THE CORRIDORS

With three contact groups and two drafting groups meeting simultaneously, and similar issues being discussed in several places at once, many delegations complained they were overextended, and some lamented the under-representation of developing countries in the drafting groups in particular. A number of NGO representatives expressed concern that the outcome of the SAICM might not reflect the urgency of chemicals-related problems. However, some delegates remained hopeful that despite their slow progress, the drafting groups could expedite negotiations more rapidly than the the slower-moving plenary sessions.