Earth Negotiations Bulletin
ICCM3 #5
A Reporting Service for Environment and Development Negotiations
Online at http://www.iisd.ca/chemical/iccm3/
Vol. 15 No. 195 Published by the International Institute for Sustainable Development (IISD) Friday, 21 September 2012

ICCM-3 HIGHLIGHTS: THURSDAY, 20 SEPTEMBER 2012

ICCM-3 reconvened on Thursday, 20 September in Nairobi, Kenya. Throughout the day, delegates convened in plenary for the High-Level Dialogue (HLD). The Dialogue gathered a number of high-level speakers from governments, industry, civil society and IOMC organizations to discuss strengthening SAICM's implementation.

The contact group on emerging policy issues met throughout the morning and evening. In the afternoon, the contact group on financial and technical resources for implementation resumed its discussions. Both contact groups as well as the Budget Group met into the night. An awards ceremony was also held to honor outstanding contributors to SAICM.

IMPLEMENTATION OF SAICM

FINANCIAL AND TECHNICAL RESOURCES FOR IMPLEMENTATION: Reporting back on the previous day's discussions, contact group Co-Chair Daniel Ziegerer (Switzerland) noted that differences still remain on extending the term for contributions to the QSP.

President Peitz emphasized the need to discuss the ED's proposal in order for the Conference to send a message to the GC on this proposal. BRAZIL objected, noting that the Conference had only agreed to note the discussion of the proposal in the report of the meeting. The AFRICAN GROUP called on donors to consider the needs of developing countries in the discussion on the QSP.

In the contact group, Co-Chair Ziegerer introduced a Co-Chairs' non-paper on the QSP, reflecting all the points of complementarity from the previous day's meeting. In the proposed text, the Conference decides that: terms for contributions to the QSP Trust Fund will be extended until ICCM-4; funds committed to projects before the closure of the QSP may be disbursed until all approved projects are completed; and the QSP will continue to support activities to enable initial capacity building and implementation consistent with its objectives unless the Executive Board provides additional operational guidance on the strategic priorities of the Programme. Most delegations expressed their support for the Co-Chairs' text, but one developed country regional group and one developed country delegation reserved their comments. Some delegations expressed concern about the rationale behind the two reservations, with one seeking assurance that agreement on the QSP extension was not contingent on the discussions of the ED's proposal. In response, one dissenting delegation said it was unable to accept the proposed extension date. One dissenting regional group stressed the interlinkages between the short-term QSP and long-term financing for chemicals. The contact group agreed to revisit the Co-Chairs' text on the QSP after consideration of the ED's proposal.

On the ED's proposal, several delegations expressed a desire to only provide general guidance to the UNEP GC. Some delegations underscored that this was an opportunity for the Conference to provide SAICM-specific guidance on chemicals and wastes financing, with one delegation linking this input to the increase in funding for SAICM activities.

One delegate stressed he did not have the mandate to make substantive comments on the elements of the proposal. Two developing country regional groups expressed concern over the role of the GEF, noting the difference between the governance structures of the GEF and SAICM. Most delegations agreed that the proposal should reflect that a fair priority needs to be allocated to SAICM. Two developing country regional groups said it should take into consideration: common but differentiated responsibilities, and extended producer responsibility (EPR). Deliberations continued late into the night.

EMERGING POLICY ISSUES: Nanotechnology and Manufactured Nanomaterials: On Wednesday morning, the contact group did a first reading of the draft resolution developed by a small drafting group on Wednesday evening. Delegates agreed to most of the text, but outstanding issues include whether to, *inter alia*: encourage industry to support cooperative actions financially; ask the UN subcommittee on GHS to consider international scientific work and to prepare a workplan on nanomaterials; ask SAICM to explore synergies with the chemicals and wastes conventions regarding nanomaterials; and invite the Secretariat to update its report on nanomaterial applications, implications and safety management in the context of SAICM. A small drafting group was formed to finish revising the work areas to be inserted into the GPA.

Endocrine Disrupting Chemicals: Contact group deliberations on Thursday produced a "clean" text for a resolution that: agrees that international cooperation to build awareness and understanding and prepare actions on EDCs will be a SAICM emerging policy issue; decides to implement cooperative actions; invites IOMC organizations to lead and facilitate such actions, including providing up-to-date information and scientific expert advice to policy decision makers and for awareness raising, information exchange, networking, and capacity building for assessing EDC issues; invites the IOMC organizations to develop a work plan in consultation with the ICCM Bureau, to be published on the SAICM clearinghouse website; and invites the IOMC organizations to report on cooperative actions to ICCM-4.

Hazardous Substances in Electrical and Electronic Products: On Wednesday evening, the contact group produced a "clean" text of a resolution after resolving disagreements regarding: tools and information on safer substitutes for "chemicals of concern"; EPR; provisional strategies and actions in design and manufacturing until hazardous substances elimination is possible or substitutes are available; and an invitation to donors to provide financial and in-kind resources to further work in this area.

ACTIVITIES OF THE SECRETARIAT AND ADOPTION OF THE BUDGET

Reporting back to plenary on the work of the Budget Group, Co-Chair Gillian Guthrie (Jamaica) highlighted discussions on the expenditure for the triennium. She said the group was yet to

This issue of the *Earth Negotiations Bulletin* © <enb@iisd.org> is written and edited by Paula Barrios, Ph.D., Tallash Kantai, Kate Louw, Dorothy Wanja Nyingi, PhD, and Keith Ripley. The Digital Editor is Manu Kabahizi. 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 European Commission (DG-ENV), 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), and the Government of Australia. General Support for the *Bulletin* during 2012 is provided by the Norwegian Ministry of Foreign Affairs, the Ministry of Environment of Sweden, the New Zealand Ministry of Foreign Affairs and Trade, SWAN International, the 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), and the United Nations Environment Programme (UNEP). Funding for translation of the *Bulletin* into French has been provided by the Government of France, the Belgium Walloon Region, the Province of Québec, and the International Organization of the Francophone (OIF and IEPF). 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., 11D, New York, NY 10022, USA. The ENB Team at ICCM3 can be contacted by e-mail at <Kate@iisd.org>.
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consider the proposal for a zero draft budget, the status of the OEWG and WHO-related matters raised in Wednesday's plenary. The Budget Group resumed its discussions in the evening, and continued through the night.

HIGH LEVEL DIALOGUE:

As part of the agenda item on implementation of SAICM, the Conference convened a HLD to discuss ways to strengthen SAICM for more effective implementation. The Secretariat presented reports informing the discussion, including on the UNCSD outcomes and the GCO (SAICM/ICCM.3/INF/14, 15, 25 and 30).

Maria Neira, WHO, proposed, *inter alia*, improving access to national and regional poison center services, phasing out highly hazardous pesticides, and identifying effective interventions on 10 chemicals of major concern. Lazar Chirica, Moldova's Deputy Environment Minister, outlined policy improvements to ensure proper labeling of products to shift the burden of responsibility for chemicals management to producers.

Calvin Dooley, President and CEO, American Chemistry Council, for the ICCA, emphasized the chemical industry's role in the responsible use of chemicals through the ICCA's Responsible Care Initiative and the Global Products Strategy to ensure the availability of chemical safety data. Joe DiGangi, IPEN, said that to achieve the 2020 goal SAICM should, *inter alia*: call for a progressive ban on highly hazardous pesticides; and express concern on the lack of focus on occupational health and safety issues.

Remi Allah-Kouadio, Côte d'Ivoire's Minister of Environment and Sustainable Development, said that Côte d'Ivoire has taken a number of steps for SAICM implementation with the support of QSP funding, including updating the national chemicals profile and monitoring transboundary waste movements. Sophia Danenberg, The Boeing Company, outlined a number of activities by downstream users of chemicals, including webinars and workshops.

Tiarite George Kwong, Kiribati's Minister of Environment, Lands and Agricultural Development, highlighted his country's mainstreaming of sound chemicals management into their environment policy and national development plan. Per Nylykke, Danish Ministry of Environment, on behalf of the EU and Croatia, said further exploration is needed to strengthen the multi-stakeholder and multi-sectoral nature of SAICM.

CÔTE d'IVOIRE, with COLOMBIA, stressed, *inter alia*, the need for a strong legislative framework for chemicals management and trained personnel in the chemicals docket. The REPUBLIC OF KOREA stressed the need for regional and international cooperation to meet the 2020 goal.

FINLAND, with MOLDOVA, emphasized the importance of regional efforts to address common challenges and make efficient use of resources. KENYA stressed the critical role of poison centers and phase-outs of highly hazardous pesticides to minimize chemical risks in countries with large agricultural sectors.

Panelists then addressed questions from the floor. Kwong stressed that the challenge for small island developing states is to prevent agrochemical contamination of groundwater, which he said is their only drinking water source. Dooley said that the role of the chemical industry in financing SAICM implementation is investment in national applications of best practices. Danenberg called for direct outreach and engagement with small- and medium-sized enterprises.

TANZANIA highlighted a QSP-supported feasibility study towards the establishment of an East African sub-regional poisons center.

NIGER, with INDONESIA, urged extending QSP until a long-term financing mechanism is established. IRAN said sustainable financial and technical resources that go beyond enabling activities are required to achieve the 2020 goal. PALESTINE urged the ICCM to address plastics and bisphenol A.

THAILAND said the 2020 goal requires, *inter alia*: availability of chemicals data to inform decision-making; corporate social responsibility and "green chemistry"; and environmental taxation and other economic instruments to fund safe chemicals management and promote behavioral changes.

FRANCE asked for clarification on what strategies are in place to promote alternatives to chemicals. The US recommended focusing on existing GPA activities that would allow countries to reduce risk and "approach" the 2020 goal.

NICARAGUA reported on challenges in sustaining financing for both health and the environment. MALAWI called for awareness-raising and civic education in countries with low literacy levels. THE GAMBIA said pesticide use has created pest control problems, which in turn require more pesticides. MADAGASCAR urged industries to enhance responsible use of chemicals and to provide alternatives. DOMINICAN REPUBLIC called for penalties on suppliers of POPs.

JAPAN reported that its adoption of the SAICM implementation plan has contributed to improved responsibility among relevant stakeholders. ALGERIA said his country has developed a policy to control hazardous chemicals and emphasized the need for sustainable and predictable funding for scientific studies on risk reduction and alternatives. CAMBODIA mentioned the support of the WHO and UNEP on policy and strategy development and its establishment of a national committee on health and environment. The SOLOMON ISLANDS outlined the concerns of Pacific Islands, including exposure to chemicals in imported products and from seabed mining operations.

UNEP suggested five steps to turn SAICM's broad aspirations into on-the-ground results: reinforcing implementation efforts for existing conventions and agreements; building on the FAO Pesticide Code of Conduct; supporting governments towards sound chemicals management; engaging industry to drive better chemicals life-cycle management; and "cleaning the lifecycle" of those chemicals and wastes of greatest concern. FAO proposed focusing on highly hazardous pesticides, noting its efforts to revise the Code of Conduct and work with national governments to identify the highly hazardous pesticides of greatest concern for each.

SUSTAIN LABOR urged greater work on chemicals with trade unions. International Trade Union Confederation supported requiring that high chemical safety standards in developed countries are equally enjoyed in developing countries, and developing an independent global monitoring system to ensure that the chemical industry acts responsibly in all countries. ISLAND SUSTAINABILITY ALLIANCE highlighted the need for, *inter alia*, biomonitoring of Pacific fish to identify and address pollution hot spots, addressing pollution from deep seabed mining, and developing a regional system to export for proper disposal of end-of-life e-products.

President Pietz offered to produce a "president's summary" of the HLD to capture the key messages to forward to ICCM-4.

IN THE CORRIDORS

On Thursday many welcomed the HLD on specific ways to move towards the 2020 goal. One participant expressed the hope that the proposals presented from key sectors, including repeated calls from delegates to phase-out highly hazardous pesticides, and develop an agricultural policy, will move from "high-level ideas" to meaningful action that could "literally save millions of lives."

Some participants also expressed satisfaction with the contact group outcomes on emerging policy issues, but some wondered whether there is reason to celebrate given the financial challenges facing SAICM. One delegate said that all these issues and ideas need money in order to be addressed at all, much less meaningfully.

By Thursday night, SAICM's finance hung in the balance. In the contact group on finance, a Co-Chair's text on the extension of the QSP that was agreeable to many became a bargaining chip. While a key bloc informed the group that without a clear signal to the GC on the ED's proposal on long-term financing, there could be no agreement on the extension, another insisted that they have no mandate to negotiate the proposal in any detail. Hope remained that a spirit of compromise would prevail on the final day of the meeting.

ENB SUMMARY AND ANALYSIS: The *Earth Negotiations Bulletin* summary and analysis of ICCM-3 will be available on Monday, 24 September 2012 online at: http://www.iisd.ca/chemical/iccm3/