

## ICCM HIGHLIGHTS:

### SATURDAY, 4 FEBRUARY 2006

On the opening day of the International Conference on Chemicals Management (ICCM), delegates met in plenary in the morning to hear opening statements and address organizational matters. Following the plenary, a Committee of the Whole (COW) convened to take up outstanding issues relating to the Strategic Approach to International Chemicals Management (SAICM), particularly in the draft Overarching Policy Strategy (OPS). Two contact groups were established to discuss financing issues, and principles and approaches.

#### OPENING PLENARY

Hamad A. Al Midfaa, Minister of Health and Chair of the Federal Environmental Agency of the United Arab Emirates, highlighted the positive roles of chemicals, while stressing that their use can lead to hazardous and adverse effects and emphasizing the need for collective action.

Klaus Töpfer, Executive Director of UNEP, noted the progress made throughout the SAICM process and stressed the links between the chemicals and development agendas. He described SAICM as a global endeavor for achieving the Millennium Development Goals and the World Summit on Sustainable Development's 2020 target on chemicals management.

Robert Visser, Chair of the Inter-Organization Programme for the Sound Management of Chemicals (IOMC), described IOMC's work in the SAICM process and called for adequate resources for SAICM's implementation.

Suwit Wibulpolprasert, President of the Intergovernmental Forum on Chemical Safety (IFCS), predicted that SAICM would be a "global failure" without significant financial support and increased multisectoral involvement.

**ORGANIZATIONAL MATTERS:** On the rules of procedure, Töpfer reported that discussions held the previous day had resulted in an agreement to apply, *mutatis mutandis*, the rules of the SAICM Preparatory Committee (SAICM/ICCM.1/6), based on an understanding that decisions at this meeting would be taken by consensus. He said rules for a second ICCM session could be developed by a working group.

Delegates then elected Mariano Arana, Uruguay's Minister of Housing, Territorial Planning and Environment, as ICCM President. They also elected Sulfina Barbu (Romania), Claudia McMurray (US), and Aisha Kigoda (Tanzania) as Vice-Presidents. The nomination from the Asia/Pacific region remains pending. The agenda was adopted without amendment (SAICM/ICCM.1/1). The conference agreed to President Arana's proposal that Bureau members appoint a representative from their delegations to serve on the Credentials Committee.

On the organization of the meeting, delegates agreed that a COW would be established chaired by PrepCom President Bohn. President Arana said he would consult on the draft high-level declaration.

**FURTHER DEVELOPMENT AND ADOPTION OF A STRATEGIC APPROACH TO INTERNATIONAL CHEMICALS MANAGEMENT:** President Arana invited PrepCom President Bohn to outline the PrepCom's outcomes. Bohn said 120 countries had worked in a cooperative spirit in the three PrepCom meetings and two Bureau meetings. She reported on consultations held during an expanded Bureau meeting in Switzerland in November 2005, and on her revised texts.

#### COMMITTEE OF THE WHOLE

Participants elected Abiola Olanipekun (Nigeria) as rapporteur. Delegates discussed the draft OPS (SAICM/ICCM.1/3), commenting on the section dealing with financial considerations (paragraph 19). Austria, for the EU, and EGYPT, supported the text as contained in the document. Noting that the primary focus of international financial institutions (IFIs) was poverty reduction, the US suggested deleting references to these institutions. TANZANIA, SWITZERLAND, NAMIBIA, UGANDA, NIGERIA and others stressed the close relationship between chemicals management and poverty reduction or eradication and, with ALGERIA and the EU, said new and additional resources would be needed to implement SAICM. NAMIBIA and UGANDA said text in the OPS regarding the roles of IFIs in global funding must be retained. TUVALU noted the special vulnerability of small island developing States (SIDS), and urged reflecting their concerns in SAICM. The EU, UGANDA and SWITZERLAND highlighted the importance of the proposed Quick Start Programme covering the initial implementation of SAICM. SENEGAL welcomed the Quick Start Programme proposal by the EU.

NORWAY indicated its willingness to commit significant financial assistance to SAICM, and said it could support the latest draft of paragraph 19. Thailand, for the ASIA-PACIFIC GROUP, supported the latest text.

INDIA and MEXICO called for a reference to "new and additional" resources. CHINA stressed the potential for ICCM to take "historic" decisions, and urged retaining text on guaranteed financial support. CHILE and MEXICO suggested language reiterating the principle of common but differentiated responsibilities.

UGANDA emphasized the importance of capacity building and technical assistance for implementation. The US supported an outcome that promotes internationally agreed chemical management goals and said it intends to continue as a leader in chemicals management.

KENYA said the section on financial resources is critical for SAICM implementation. It referred to the role that the Global Environment Facility (GEF) might play in this regard and, with INDONESIA, welcomed the EU's proposal for Quick Start Programme arrangements.

The US reiterated its preference to delete references to IFIs. Mexico, for GRULAC, called for including the principle of common but differentiated responsibilities in the financial section of the OPS.

Chair Bohn established a contact group to consider unresolved financial issues.

CANADA introduced a proposal on principles and approaches, submitted with Australia, Japan, New Zealand, Republic of Korea and the US (SAICM/ICCM/CRP.9). The Center for International Environmental Law (CIEL) opposed the Canadian proposal and said the draft OPS should be used as the basis for discussions. The EU said the precautionary principle is essential in international chemicals management and that text on the issue could be strengthened to highlight the protection of human health and the environment.

WORLD WIDE FUND FOR NATURE (WWF) stressed the importance of the precautionary principle. SWITZERLAND said text on health should be included.

GREENPEACE, PERU and others stressed the importance of articulating specific principles, as provided in the draft OPS (SAICM/ICCM.1/3, paragraph 20). GREENPEACE said Canada's proposal was lacking in substance and urged retaining the specific principles in the new draft. NIGERIA said it could accept Canada's submission if Rio Principles 9 (capacity building) and 13 (liability and compensation) were added. AUSTRALIA said the principles could be quoted in more detail as long as existing internationally agreed principles were not reformulated. IRAQ called for precise elements so as to provide real guidance to affected countries and people. Stressing the absence of a reference to health as a shortcoming of the Canadian proposal, the EU expressed support for the draft OPS. REPUBLIC OF KOREA proposed working with both texts.

INDIA said the text should not expand the use of principles beyond those contained in the Stockholm and Rio Declarations. ARGENTINA said delegates should not take an overly legalistic approach. A contact group was established to discuss principles and approaches.

Regarding the remainder of the draft OPS, SWITZERLAND, CROATIA and the EU stressed that only bracketed text should be discussed. CANADA and the US said that as new text is agreed, related agreed text may need to be amended.

On the scope section in the OPS, the US, opposed by the EU, requested clarifying the scope of SAICM, and rewording an exemption in a footnote concerning products that are regulated by a domestic food or pharmaceutical authority or arrangement. The EU said any exemption should focus on products rather than on arrangements and, with CANADA, stated that scope should take health and environment effects into consideration. IFCS said production should be included. SWITZERLAND and EGYPT expressed their support for the current version of the footnote. ARGENTINA said it was not necessary to have a footnote because SAICM is a flexible and voluntary approach.

The COW resumed late in the evening, continuing work on the outstanding section of the OPS, exchanging views on the sections on statement of needs, and implementation and taking stock of progress. On the dates for future conference sessions, the US suggested replacing the proposed dates of 2009, 2012, 2015, and 2020, with 2011, 2016 and 2021. Others disagreed, preferring the original dates or more frequent meetings. Discussions will resume on Sunday.

Participants then discussed draft ICCM resolutions paragraph-by-paragraph (SAICM/ICCM.1/5), starting with a resolution on implementation arrangements. After lengthy discussions, most of the paragraphs were resolved. The meeting adjourned shortly after 11:00 pm.

### CONTACT GROUPS

**Financial Considerations:** The contact group, co-chaired by Jean-Louis Wallace (Canada) and S. Ali M. Mousavi (Iran), met in the afternoon and evening to continue working on the financial considerations section of the draft OPS (SAICM/ICCM.1/3, paragraph 19).

A number of developing countries proposed referring only to global efforts on advancing the sound management of chemicals, while developed countries preferred retaining reference to national and regional efforts. Several developed countries opposed the term "new and additional" sources of funding, as proposed by several delegations, arguing that the term carries strong GEF-related connotations.

While agreeing to refer to the needs of least developed countries (LDCs) and SIDS, some delegates did not support the establishment of a trust fund for SIDS.

One delegate proposed highlighting UNEP's role as a single coordinating body for the development of the Quick Start Programme, and removing references to other organizations. Others preferred retaining the original language, noting the reference to IOMC, which is already involved in coordination activities.

The contact group discussed the proposed Quick Start Programme arrangements (SAICM/ICCM.1/CRP.8/Rev.1). While generally welcoming the initiative, several delegates focused on its suggested strategic priorities, which, in their view, tilt towards analysis at the expense of action such as training, capacity building, and enhancing enforcement. One delegate regarded the priorities as intervening in domestic policy-making, and said the eligibility of civil society to present project proposals should be subject to country endorsement. Reference to SIDS was proposed. One participant repeated his objections to mentioning IFIs, and another expressed doubts regarding the review process. After the sponsors of the proposal responded to questions from the floor, the contact group proceeded to redraft Annex 1 of the proposal.

**Principles and Approaches:** A contact group chaired by Donald Hannah (New Zealand) met in the afternoon and evening to finalize text on the principles and approaches in the draft OPS, and a reference to the precautionary approach in the objectives subsection of the same document (SAICM/ICCM.1/3). Participants considered the text proposed by the President, and a submission by Australia, Canada and others on principles and approaches (SAICM/ICCM.1/CRP.9), which also called for the application of the precautionary approach as set out in principle 15 of the Rio Declaration, and made no reference to health. Participants agreed that they would consider both sections of the OPS together, as a package. The discussion focused on the precautionary approach, with participants divided among those who wanted to avoid references to health within the context of chemicals, and those who wanted precaution to apply also to health. The group will reconvene Sunday morning at 9:00 am to finalize its work.

### IN THE CORRIDORS

With only two days to finalize the SAICM, many delegates seemed perplexed about how to proceed to achieve the ICCM's objective and finally adopt the SAICM, especially as talks slowed on Saturday night. Some expressed concern over the opposing positions on financial issues, while others perceived signs of a mutual desire to meet partners halfway. Several participants felt that these issues and the lack of agreement on principles and approaches, particularly on precaution, signaled long nights ahead.