

ICCM AND GCSS-9/GMEF HIGHLIGHTS: MONDAY, 6 FEBRUARY 2006

On Monday, delegates at the International Conference on Chemicals Management (ICCM) met in plenary throughout the day to hear high-level statements and discuss organizational matters and the adoption of the SAICM. In the evening, participants attended the ceremonial opening of the ninth Special Session of the UNEP Governing Council and Global Ministerial Environment Forum and the awarding of the third Zayed International Prize for the Environment.

PLENARY

OPENING STATEMENTS: ICCM President Arana welcomed delegates to the high-level segment. Klaus Töpfer, UNEP Executive Director, emphasized the role of sound chemicals management in achieving the Millennium Development Goals (MDGs) and eradicating poverty. He highlighted the need for additional financing, improved capacity building, increased technological support, an effective and quick start to SAICM implementation, and use of the precautionary approach.

Hamad A. Al Midfaa, United Arab Emirates Minister of Health and Chair of the Federal Environment Agency, said the use of chemicals has become all pervasive globally and must be carefully addressed. He said SAICM is voluntary but is still a firm and solid basis for countries to act and avoid potential disasters resulting from mismanagement.

ORGANIZATIONAL MATTERS: ICCM Rapporteur Fernando Lugris introduced, and delegates adopted, the report of the Credentials Committee.

HIGH-LEVEL STATEMENTS: Following the opening presentations, more than 60 ministers and other senior representatives of governments, civil society and intergovernmental organizations addressed the ICCM. Speakers touched on a range of issues, including the state of the negotiations, developing country needs, linkages to poverty and development, financial matters, capacity building, cooperation, information, the Quick Start Programme, and the impact of pesticides.

Many speakers praised SAICM as a timely initiative that would help countries reach the target set at the World Summit on Sustainable Development of minimizing the significant adverse effects of chemicals on human health and the environment by 2020. Speakers also noted the social and economic benefits of chemicals, along with their attendant risks.

SAICM negotiations: Several speakers urged adoption of the SAICM in Dubai. IPEN said the SAICM negotiations were "teetering on the brink of disaster." She accused some wealthy nations of taking negotiating positions that jeopardize the lives of millions of vulnerable people, and highlighted IPEN's vision

for a toxic-free future (SAICM/ICCM.1/CRP.23). IRAN said that although SAICM is voluntary, the high-level declaration will politically bind States to the process. The EU said SAICM requires strong political commitment and supported an open, inclusive and transparent process offering environmental integrity. SWITZERLAND said SAICM must not be a "paper tiger," and BRAZIL urged governments to move forward with implementation. SENEGAL said the chemicals industry should contribute to SAICM implementation based on the polluter pays principle.

Linkages with poverty reduction: Many speakers, including the EUROPEAN COMMISSION, highlighted linkages with poverty reduction. EGYPT underscored the importance of improving people's living conditions and eliminating illegal trade in chemicals. SLOVENIA highlighted the benefits of SAICM implementation for the most vulnerable groups.

Financial matters: The GEF highlighted its relevant work and support for SAICM's objectives. OECD reported on its work on instruments and policies to assist countries with their work and to develop cost-effective approaches. GUINEA called for another financial mechanism for the SAICM. NORWAY pledged 25 million Norwegian Kroner for SAICM implementation. LESOTHO, with PALESTINE, FORMER YUGOSLAV REPUBLIC OF MACEDONIA, BENIN and SOUTH AFRICA said inadequate infrastructure constitutes a serious constraint in sound chemicals management and appealed to developed countries to provide technological assistance and new and additional financial resources. ARGENTINA, IRAN and SIERRA LEONE stressed the need for additional financial resources and technology for the implementation of SAICM. SAINT LUCIA highlighted the limited funds available to SIDS for safe chemicals management. REPUBLIC OF CONGO called for a special window in the GEF for chemicals management. The WORLD BANK endorsed chemicals risk management as a mainstream element of development and stressed the use of global funds to leverage other financing.

Capacity building and technology support: INDONESIA highlighted the challenges of strengthening capacity and expertise. MALAWI called on developed countries to provide technical and capacity support. MOROCCO urged greater access to data and information. GUINEA said strengthening technical and financial capability is a precondition for SAICM implementation. UNDP affirmed its resolve to diagnose problems and build the capacities of countries in SAICM implementation. TANZANIA and TUVALU stressed the need for capacity building in developing countries.

Quick Start Programme: The UK supported the Quick Start Programme as providing an "easy transition" to long-term action, and pledged US\$300,000 for 2006. SWITZERLAND pledged CHF3 million, SWEDEN pledged US\$3 million, and FINLAND promised to contribute to the programme.

Cooperation, synergies and partnerships: UNIDO highlighted its collaboration with UNEP and GEF. NORWAY urged strong industry participation, and INDIA called for more public and private sector resources. The INTERNATIONAL COUNCIL OF CHEMICAL ASSOCIATIONS highlighted the new Responsible Care Global Charter and the Global Products Strategy. SWITZERLAND stressed the value of efforts at the regional level. UNITAR outlined its work on various projects, workshops and documents, and the development of the globally harmonized system for classification and labeling of chemicals (GHS). UGANDA supported synergies among treaties, multi-sectoral approaches and partnerships with the private sector. JAPAN noted the inter-linkages between chemicals management and many other areas, cooperation with OECD, and preventing illegal trafficking. HUNGARY said SAICM should be associated with relevant MEAs.

Health and safety: WHO stressed the importance of knowledge and capacity on the health impacts of chemicals. ILO drew attention to work-related accidents and occupational diseases, poisoning and acute and chronic diseases caused by agriculture pesticides, and stressed the importance of the protection of workers' health and safety. PALESTINE cited hazardous residues and substances, and depleted uranium as chemicals-related problems that pose serious threats to human health and the environment in his territories. KENYA stressed the need to address chemical-related poisonings in developing countries. The INTERNATIONAL COUNCIL OF METALS AND MINING stressed its efforts in chemical safety, and its support for SAICM.

Other issues: ICELAND urged ensuring that new chemicals do not create additional risks, and welcomed UNEP's role in the SAICM process. SOUTH AFRICA appealed for action to achieve the goal of the Johannesburg Plan of Implementation on chemicals management. FAO drew attention to pesticides' dominance of the chemicals market, the need to strengthen national legislation in many cases, and FAO's relevant work on chemicals management. FINLAND called for a focus on the most dangerous substances, especially in the Arctic environment. GHANA cautioned against chemical mismanagement, and recalled its participation in the African Stockpiles Programme. The US expressed hope that the SAICM would: reflect the Rio Declaration's formulation of precaution; clarify that it would not affect the application or interpretation of rights under other international agreements; and not cover pharmaceuticals or food additives.

ADOPTION OF THE SAICM: Reporting back on the status of negotiations on Monday evening, President Arana introduced several texts for adoption as a package, including the draft high-level declaration, overarching policy strategy (OPS), global plan of action (GPA), and four ICCM resolutions (SAICM/ICCM/CRPs.24, 25, 25.Add.1, 26, 27, and 28). He thanked delegates for their hard work and urged flexibility to adopt the package, noting that no one would be satisfied with everything, but that a historic outcome was possible.

CUBA expressed disappointment at the lack of flexibility "by just one delegation" and said he could not support the package of documents. GUATEMALA agreed, arguing that the package was not in the interests of developing countries. VENEZUELA, BRAZIL and others also opposed the package.

JAPAN said all delegations had been willing to compromise, and he could support the package. While noting that they had hoped for more, the EU, SWITZERLAND, ICFTU, and NORWAY said they could accept the package.

The US said there were still some major outstanding issues. She said she could not agree to either the package or any of the documents individually, and suggested that further negotiations were needed. NEW ZEALAND supported follow-up discussions.

President Arana said there was clearly no consensus, and asked how to ensure that "SAICM does not die." AUSTRALIA, PAKISTAN, PERU and others suggested continuing discussions

in the evening. TANZANIA, supported by EGYPT, proposed that President Arana invite "Friends of the Chair" to discuss how to proceed.

John Buccini, Secretariat, said interpretation was about to expire, and the mandate for negotiations would end with the meeting. He suggested that, if delegates agreed to the package, imperfect as it is, this would create a mandate for further negotiations. ARGENTINA proposed that delegates resume negotiations immediately on the specific outstanding items in the individual texts.

President Arana announced a meeting of Bureau members and representatives from regional and other groups in a final attempt to resolve outstanding issues.

At 9:55 pm, President Arana reopened the plenary, saying that progress was made during discussions in the extended Bureau. Chair Bohn explained the compromises reached on outstanding issues.

On financial considerations set out in paragraph 19 of the OPS (SAICM/ICCM.1/CRP.25/Add.1), the agreed changes included:

- additions in the chapeau of references to Principle 7 of the Rio Declaration and to least developed countries (LDCs) and small island developing States (SIDS) in the context of progress towards reaching the 2020 goal; and
- in subparagraph (c), deletion of sub-sub paragraph (iv), which refers to multilateral development bank representatives.

A new paragraph will be included in the conference report that refers to a possibility of discussing the GEF at a future ICCM, but stating at the same time that no agreement was recorded on this issue at this meeting.

The OPS was adopted, with its paragraph 14(e) on the precautionary approach remaining a contentious issue until the end. The GPA was also adopted, with a last-minute agreement reached on its paragraph 3*bis*, which refers to the possibility for stakeholders to discuss other items between this and the next ICCM.

Delegates also finalized the text of the High-Level Declaration, with amendments to text referencing the Johannesburg Plan of Implementation. They also retained language stating that SAICM is a new voluntary instrument that is not legally binding, but removed text stating that it "therefore does not change rights and obligations under legally-binding international agreements." Delegates approved the text with the required changes. The US made a clarification of its understanding of SAICM in the context of food or pharmaceutical products.

Parties then adopted the draft report of the session (SAICM/ICCM.1/L.1 and Add.1). President Arana thanked delegates for their cooperation and commitment during a "long and difficult road." He wished delegates a good night's sleep, adding, "you deserve it." The meeting closed at 12:01 am.

AWARDING OF THE ZAYED INTERNATIONAL PRIZE FOR THE ENVIRONMENT AND CEREMONIAL OPENING OF GCSS-9/GMEF

The Zayed Prize for Global Leadership was awarded to Kofi Annan. The prize for Scientific and Technological Achievement was awarded to the Millennium Ecosystem Assessment, and the prize for Environmental Action with Positive Impact on Society was awarded to Angela Cropper and Emil Salim.

IN THE CORRIDORS

"Exhausted but relieved" seemed to be the mood of many as delegates finally adopted the SAICM around midnight Monday. The grueling talks, which seemed on the verge of collapse earlier in the evening, finally secured a result after interpretation services were extended beyond the 6:00 pm deadline. "I'm just glad it's over and we got a result," said one weary but smiling delegate.