



IPEN Quick Views of ICCM2

April 2009

The following is a summary statement of the views of the International POPs Elimination Network (IPEN) on issues that ICCM2 will be called upon to address:

Rules of Procedure

ICCM must finalize and adopt its Rules of Procedure quickly, so that this issue does not distract from the many important tasks ICCM must undertake. The “Draft Rules of Procedure Proposal” of the Secretariat, circulated to stakeholders on 28 April, provides an excellent basis for achieving consensus and swift resolution. In particular:

1. The proposed composition and operating procedures of the bureau agreed in Rome at the OELTGWG meeting and reflected in the Secretariat’s Proposal should be adopted (rule 15).
2. In establishing any subsidiary bodies, the Conference must retain the discretion to agree to alternative operating procedures for such subsidiary bodies, as is possible under the Secretariat’s Proposal (rule 23).
3. Most decisions should be adopted after consultation with intergovernmental participants and non-governmental participants, as reflected in the Secretariat’s Proposal.
4. IPEN supports super-majority voting for substantive matters if all efforts to reach consensus have failed. However, because this is a difficult topic, we support the approach of the Secretariat’s Proposal, in which most decision-making rules are consolidated so that they appear in only one place instead of throughout the text.
5. Until ICCM adopts its Rules of Procedure, it should continue to use the rules of the Preparatory Committee, *mutatis mutandis*, to govern the session.

Evaluation of SAICM implementation

1. SAICM is not currently on track to achieve the 2020 goal. Implementation has advanced, but the pace has been slow and uneven.¹ A sustainable financial mechanism and strong links to sustainable development are needed. Public awareness of chemical safety issues remains low. Inclusion of public stakeholders in relevant decision-making processes has been uneven.²
2. ICCM2 should take strategic decisions to prioritize and update the Approach throughout the Conference.
3. Updating GPA: The justification document should permit consideration of issues where information is lacking but which have reasonable grounds for concern for adverse impacts
4. ICCM2 should recommend that all countries develop and implement a SAICM implementation plan that includes the following elements:
 - Multi-sectoral, multi-stakeholder committee that includes representation of public interest NGOs and civil society organizations.
 - Assessment of gaps in chemicals management and actions needed to reach the 2020 goal.
 - Links to other ongoing chemical safety processes.
 - If appropriate, mainstreaming chemicals management into sustainable development planning and development assistance programs.

¹ According to INF1, less than 20% of countries have reported on SAICM implementation, only one-third have implemented GHS, and less than 10% have ratified ILO C.170 on Safety in the Use of Chemicals at Work

² Please see the related IPEN report, “Citizens’ Report: Global Outreach Campaign on the Strategic Approach to International Chemicals Management SAICM” <http://www.ipen.org/campaign/>

Coherence among international instruments

1. SAICM national focal points and inter-ministerial committees should assist in coordinating work relating to the various chemicals conventions and instruments at the national level.

Modalities for reporting

1. Further development of indicators should be undertaken in the intersessional period so that a wider range of indicators could be included in the future. All indicators should be presented in a format which lists results by countries and regions.
2. In addition to indicators, each country should submit a one-page narrative summarizing its priority actions (such as GPA activities) and constraints encountered. This narrative should also be made publicly available in the national language.
3. The Secretariat should prioritize collection of the indicator data so that a report on SAICM implementation can be presented at ICCM3.
4. Different stakeholders should report on different indicators. Industry reporting should include practices of member companies, not just national associations. Industry reporting also needs to be broadened to include more SAICM participating countries

Strengthening of national chemicals management capacities

Key components of strengthening national chemicals management capacities include:

- An inter-ministerial committee with representatives of all concerned national departments, the private sector, and civil society stakeholders so that all relevant substantive areas of chemicals management are addressed.
- A SAICM implementation plan developed with full stakeholder participation. This plan should take into account existing national legislation, national profiles, action plans, stakeholder initiatives, gaps, priorities, needs and circumstances. Subsequent implementation phases should focus on implementing specific action plans.
- Reform of national chemical regulatory regimes by incorporating four basic principles: No data, no market³; right to know⁴; substitution⁵; and the precautionary principle.
- Providing information on chemicals which is accessible, user friendly, adequate and appropriate to the needs of all stakeholders. It should address the chemical's human health and environmental effects, its intrinsic properties, its potential uses, protective measures and regulation
- Integration of the Strategic Approach objectives into multilateral and bilateral development assistance cooperation.

Financial and technical resources

- ICCM2 needs to develop a long-term, substantial global financial mechanism to support sound chemicals management and the achievement of SAICM's objective.
- New and additional resources should be dedicated to SAICM that are at least equivalent to what has been mobilized to support Stockholm Convention implementation.
- Links to development aid should be developed and implemented.
- A new GEF focal area on chemicals management should be established.⁶

³ A comprehensive set of data and information about the chemical is available to regulators and users before a substance can be sold.

⁴ Data relevant to the health and environmental impacts of chemicals is made available to the public.

⁵ Progressive substitution of dangerous chemicals for safer chemical and non-chemical alternatives

⁶ Negotiations on the fifth GEF replenishment will take place in 2009 and be completed in early 2010. The Fourth GEF Assembly will be convened in the first half of 2010 in Uruguay

- ICCM2 should agree that there are externalized costs of the chemical industry that need to be internalized. The Conference should agree to develop a multi-stakeholder process to develop this issue further.

Emerging policy issues

1. Lead in paints: ICCM2 should approved the draft resolution on forming a Global Partnership to promote the implementation of the measures contained in paragraph 57 of the Johannesburg Plan of Implementation and the terms of reference of the Partnership
2. Chemicals in products: The Conference should approve the resolution on chemicals in products to promote the implementation of paragraph 15 (b) of the OPS and the terms of reference of the working group.
3. Electronic waste: ICCM2 should approve the resolution on hazardous substances and electronic waste and establish a working group on electronic waste as outlined in the cooperative actions document.
4. Nanotechnology and nanomaterials: ICCM2 should approve the formation of an intersessional working group on nanotechnology with a special focus on needs and issues relating to developing countries and countries with economies in transition. The brackets should be removed from the proposed resolution and the measures adopted. The resolution contains many elements in common with the Dakar Statement on Manufactured Nanomaterials adopted by consensus of 71 governments, 12 IGOS, and 39 NGOs at IFCS Forum VI.⁷
5. The definition of an emerging issue agreed at the OELTWG meeting in Rome should be adopted by ICCM2.⁸
6. The procedure for considering future emerging policy issues should include the following:
 - Call for nominations and submission of information as described in the Secretariat's proposal
 - Post proposals to the SAICM website with an open comment period and send to the regional focal point for discussions at the regional level
 - Proposal possibly amended based on comments received
 - Submitted to Bureau for prioritization process based on selection criteria below
7. The section criteria for emerging policy issues should include the following:
 - Magnitude of the problem and its impact on human health or the environment, taking into account vulnerable subpopulations and any toxicological and exposure data gaps
 - Extent to which the issue is being addressed by other bodies
 - Level of knowledge about the issue
 - Extent to which the issue is of a cross-cutting nature
 - Relevant elements of the SAICM OPS and/or GPA
 - Relevance of the issue to a broad number of countries or regions, and stakeholders, in particular developing countries and countries with economies in transition

Subsidiary bodies

ICCM should establish a subsidiary body that would normally meet once during the intersessional period as an open-ended working group:

- The body would be mandated to prepare for and supplement the work of the Conference, especially in the areas of OPS paragraph 24 (j) and (k); namely, to focus attention on emerging policy issues as they arise and assist in the development of consensus on priorities for cooperative action, and to promote information exchange and scientific and technical cooperation.

⁷ <http://www.who.int/ifcs/documents/forums/forum6/report/en/index.html>

⁸ "...an issue involving the production, distribution, and use of chemicals, which has not yet been generally recognized or sufficiently addressed, but which may have significant adverse effects on human beings and/or the environment."

- The body would thus function as a forum for brainstorming and information sharing and could prepare background, informational, and thought-starter documents on emerging issues and other topics to be addressed at forthcoming sessions of the Conference.
- Assuming the ICCM adopts Rules of Procedure that allow such flexibility (see “Rules of Procedure” above), the subsidiary body could be served by an expanded bureau including representatives of all regions and participant groups.

Information exchange and scientific and technical cooperation

1. Greater engagement is needed with the health sector to motivate participation and highlight positive health effects resulting from sound chemicals management.
2. Both SETAC and IUPAC contain large chemical companies as members⁹ whose point of view is reflected in the groups’ publications.¹⁰ Like any other stakeholder, SETAC and IUPAC should be welcomed to participate in SAICM. However, due to the extensive involvement of industry in both organizations, neither should be viewed as a source of fully objective scientific information. In addition, neither SETAC nor IUPAC represent the totality of scientific disciplines that need to be involved in the SAICM process.¹¹ Neither organization should monopolize consideration of the scientific aspects of emerging policy issues.

Cooperation with intergovernmental organizations

1. ICCM2 should integrate IFCS into the Conference in a way that reflects the “essential elements” that were part of the Forum VI resolution on the future of IFCS. These elements include:
 - Provide all stakeholders, especially developing countries and countries with economies in transition, an opportunity to share and acquire information through open discussion and debate;
 - Provide an independent, objective source of synthesized information about chemicals management issues, including potential health, environmental and socioeconomic impacts and possible response actions;
 - Prepare and disseminate reports that reflect a state-of-the-art understanding of key subjects; are based on solid scientific evidence; ensure a balance of existing view points; and package accurate, relevant and important information in accessible language that educates and may stimulate action, particularly for ICCM

⁹ SETAC partners include 3M, British Petroleum, DuPont, Environ, P&G, Petrobras, Rio Tinto, Shell, and Syngenta among others. IUPAC includes Solvay, Boehringer Ingelheim, DuPont, Sinopec, BASF, Bayer, Mitsubishi, Mitsui, Sumitomo, Samsung Total Petrochemical, Sastech, Ciba, Hoffman LaRoche, Novartis, ICI, Syngenta, and AstraZeneca among many others.

¹⁰ For example, the IUPAC document on chlorine notes the wide number of POPs that are organochlorines and concludes that, “A crusade is ongoing against element 17 in the periodic table...” and states that it is “blamed” for compounds such as DDT and PCBs and formation of dioxins <http://www.iupac.org/publications/pac/special/0996/fischli.html>

¹¹ For example, health sector disciplines need greater involvement in SAICM