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Meeting of the Africa Core Group on the
Strategic Approach to International Chemicals Management
Nairobi, 20–21 August 2009

Report of the second African regional meeting on the Strategic Approach to International Chemicals Management, Dar es Salaam, 16-17 July, 2008

Note by the secretariat

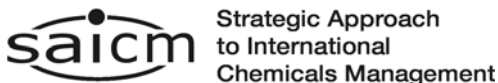
1. Following the adoption of Strategic Approach to International Chemicals Management (SAICM), by the International Conference on Chemicals Management at its first session, which took place in Dubai, United Arab Emirates, from 4 to 6 February 2006, the SAICM secretariat organized the second African regional meeting on SAICM in Dar es Salaam from 16 to 17 July 2008.

2. The secretariat has the honour to circulate, in the annex to the present note, the report of the second African regional meeting on SAICM, for the information of participants in the present meeting.

ANNEX



SAICM/RM/Afr.2/9

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**Second African regional meeting on the Strategic Approach
to International Chemicals Management**

Dar es Salaam, 16-17 July 2008

Report of the second African regional meeting on the Strategic Approach to International Chemicals Management

Introduction

1. At its first session, which took place in Dubai, United Arab Emirates, from 4 to 6 February 2006, the International Conference on Chemicals Management (ICCM) adopted the Strategic Approach to International Chemicals Management (SAICM), comprising the Dubai Declaration on International Chemicals Management, the Overarching Policy Strategy and the Global Plan of Action (GPA).¹ The ICCM also adopted a number of resolutions, including resolution I/1 on arrangements for the implementation of SAICM.² In the Overarching Policy Strategy and resolution I/1, it was recommended that work on implementation of SAICM between sessions of the ICCM be undertaken through regional meetings. The current meeting, held in Dar es Salaam, Tanzania, from 16 to 17 July 2008, was the second such meeting for the African region.

I. Opening of the meeting

2. The meeting commenced at 9.30 a.m. on Wednesday, 16 July 2008, having been formally opened the previous evening by Mr. Charles Mutalemwa, Permanent Secretary, Planning Commission, Office of the President, United Republic of Tanzania.

3. In his opening remarks, Mr. Mutalemwa had conveyed the formal statement of the Minister of Health and Social Welfare, reaffirming the role of SAICM in providing a policy framework for achieving the Johannesburg Plan of Implementation goal that, by 2020, chemicals will be produced and used in ways that minimize significant adverse impacts on human health and the environment.

4. Opening statements had also been made by Mr. Adrian Schlöpfer, Ambassador of the Government of Switzerland to the United Republic of Tanzania; Mr. Kaj Madsen, on behalf of UNEP Chemicals, Mr. Matthew Gubb on behalf of the SAICM secretariat; Mr. Thebe Pule, on behalf of the African Regional Office of the World Health Organization (WHO); and Ms. Abiola Olanipekun, SAICM regional focal point for Africa. Speakers expressed appreciation to the Government of Switzerland, without whose financial support the meeting would not have been possible. Speakers expressed warm appreciation to the Government of the United Republic of Tanzania for hosting the meeting and the preparations made by the SAICM national focal point and the staff of the

¹ Report of the International Conference on Chemicals Management on the work of its first session (SAICM/ICCM.1/7), annexes I–III. The Conference adopted the Dubai Declaration and the Overarching Policy Strategy and recommended the use and further development of the Global Plan of Action as a working tool and guidance document.

² Ibid, annex IV.

Government Chemist Laboratory Agency, Ministry of Health. In wishing the meeting well, opening speakers spoke of the remarkable leadership shown by the African region in working in the spirit of SAICM and embodying the commitments expressed in the Dubai Declaration. The second African regional meeting on SAICM would build on the momentum achieved at the first meeting held in Cairo, Egypt, from 11 to 14 September 2006, and would help to set out the aspirations of the African region in preparing for the second session of the ICCM. Speakers thanked the African Core Group (ACG) for its hard work in preparing a large number of conference room papers on the key issues for decision by the present meeting and for the forward-looking and collegial work of the African regional focal point for SAICM in leading the inter-sessional work of the Group.

II. Organizational matters

A. Election of officers

5. Ms. Abiola Olanipekun (Nigeria), SAICM regional focal point for Africa and Mr. Ernest Mashimba (United Republic of Tanzania) were elected to serve as co-chairs for the current meeting. Ms. Elsabe Steyn (South Africa) was elected to serve as rapporteur.

B. Adoption of the agenda

6. The meeting participants adopted the following agenda as set out in SAICM/RM/Afr.2/1:
1. Opening of the meeting.
 2. Organizational matters:
 - (a) Election of officers;
 - (b) Adoption of the agenda;
 - (c) Organization of work.
 3. Review of progress in the African Core Group work programme.
 4. Preparation for the first meeting of the Open-ended Legal and Technical Working Group (OELTWG):
 - (a) Development of draft rules of procedure for the ICCM;
 - (b) Other matters on the agenda of the Working Group;
 - (c) Nomination of African representatives for bureau and other positions.
 5. Preparation for the second session of the ICCM:
 - (a) Reporting to the ICCM on progress in the implementation of SAICM;
 - (b) Financial considerations;
 - (c) Emerging issues;
 - (d) High-level segment;
 - (e) Other issues on the agenda of the ICCM.
 6. Update on implementation of SAICM in Africa:
 - (a) Governments;
 - (b) Intergovernmental and regional organizations;

- (c) Non-governmental organizations;
 - (d) Quick Start Programme (QSP) projects.
7. Recent and current African developments relevant to SAICM:
- (a) The twelfth session of the African Ministerial Conference on the Environment (AMCEN);
 - (b) The first Inter-Ministerial Conference on Health and Environment in Africa;
 - (c) The Pan Africa Chemistry Network;
 - (d) Other developments.
8. Preparations for the sixth session of the Intergovernmental Forum on Chemical Safety (Forum VI).
- (a) Chemical safety issues on the agenda of the Forum;
 - (b) The future of the Forum.
9. Other matters.
10. Adoption of the report.
11. Closure of the meeting.

C. Organization of work

7. The participants agreed to meet in plenary from 9.00 a.m. to 1 p.m. and from 3 p.m. to 6 p.m. each day.

D. Attendance

8. The meeting was attended by representatives of the following countries: Burkina Faso; Burundi; Chad; Comoros; Côte D'Ivoire; Djibouti; Egypt; Eritrea; Ethiopia; Gabon; Gambia; Ghana; Guinea; Kenya; Lesotho; Liberia; Libya; Madagascar; Malawi; Mali; Mauritius; Nigeria; Republic of the Congo; Rwanda; Senegal; Seychelles; South Africa; Sudan; Togo; Tunisia; Uganda; United Republic of Tanzania; Zambia; and Zimbabwe.

9. The meeting was also attended by representatives of the following intergovernmental organizations: Food and Agriculture Organization of the United Nations (FAO); United Nations Development Programme (UNDP); United Nations Environment Programme (UNEP); United Nations Institute for Training and Research (UNITAR); and World Health Organization (WHO).

10. The meeting was also attended by representatives of the following non-governmental organizations: African Roundtable on Sustainable Consumption and Production; Agenda for Environment and Responsible Development (Agenda); Alliance Nationale des Consommateurs et l'Environnement du Togo (ANCE-Togo); Basel Convention Regional Coordinating Centre (BCRCC); Cleaner Production Centre of Tanzania (CPCT); Day Hospital Institute for Development and Rehabilitation (DHIDR); Development Indian Ocean Network; Ecowatch Africa; Envirocare; Environmental Health Fund; Groundwork; iLima Kenya; International Council of Chemical Associations (ICCA); International POPs Elimination Network (IPEN); Kagera Development and Credit Revolving Fund; Kenya Chemicals and Waste Management Network; Lawyers' Environmental Action Team; National Association of Professional Environmentalists; Nigerian Africa Stockpiles Programme Implementation Network; Nigerian Environment Society; Pesticide Action Network-Africa (PAN-Africa); Physicians for Social Responsibility - Kenya; Pro-biodiversity Conservationists in Uganda; Research and Education Centre for Development (CREPD); Scan

Tanzania; Society for Environmental Toxicology and Chemistry (SETAC); Sustainlabour; Tanzanian Association of Environmental Engineers; Tanzania Association of Public, Occupational and Environmental Health Experts; Tanzania Plantation and Agricultural Workers Union; Uganda Cleaner Production Centre; Uganda Network on Toxic Free Malaria Control; University of Nairobi; and World Wide Fund for Nature (WWF).

11. The following Governments were represented as observers: Sweden and Switzerland. The SAICM regional focal points for Asia-Pacific (Japan), Latin America and the Caribbean (Argentina) and the Western European and Others Group (United Kingdom) also attended as observers. In addition, the following organizations were represented as observers: the Natural Resources Defense Council, NTU International and the Swedish Society for Nature Conservation.

III. Review of progress in the African Core Group work programme

12. The African regional focal point introduced a progress report on the implementation of the African Core Group's programme of work from September 2006 to July 2008. The programme of work, based on the terms of reference agreed at the first African regional meeting, had been reviewed at a meeting of the Group on Sunday, 13 July 2008, in Dar es Salaam. Participants in the present meeting reviewed the report noting the progress made, constraints faced, and the recommendations of the Group. The Group had prepared recommendations for the consideration of the present meeting covering subregional coordination; strengthening the capacity of the regional focal point and the Group; improving the capacities of countries to take part in relevant national, regional and global forums for chemicals management; developing and improving the skills and expertise of focal points in relevant sectors; establishing national forums where various sector-specific focal points could coordinate chemicals issues; an increase in the SAICM Quick Start Programme(QSP) Trust Fund upper value limit for project applications; and for improving procedures within UNEP for disbursing approved QSP Trust Fund project funds.

13. Meeting participants expressed appreciation for the progress report and sought clarification and the addition of a number of issues. One participant requested more detail on QSP projects that had been prepared on a regional basis. Another participant called for the upper limit on the value of projects to be raised to \$500,000. A contact group was established to address the comments made on the progress report and consequent recommendations for the work programme of the Group. The progress report was subsequently adopted, as amended, and is set out in Annex I to the present report.

IV. Preparations for the first meeting of the OELTWG

14. A representative of the secretariat introduced document SAICM/RM/Afr.2/3 containing the provisional agenda for the first meeting of the OELTWG and provided an overview of consultations on the provisional agenda and other arrangements for the OELTWG meeting. The meeting was advised of the status of current planning discussions by the "Friends of the Secretariat" informal planning group, which had been formed to assist in preparing for both the OELTWG meeting and the second session of the ICCM, in the absence of a formal bureau for the ICCM. Three African representatives were participating in the group: Egypt, South Africa and the regional focal point, Nigeria. After lengthy discussions, the Friends of the Secretariat had agreed on an expanded agenda for the OELTWG meeting, which in addition to the development of ICCM, included issues such as emerging issues, reporting on SAICM implementation, financial considerations and the relationship with the Intergovernmental Forum on Chemical Safety (IFCS) as well as practical preparations for the second session of ICCM itself. The next teleconference was to be held on 23 July 2008 and it was hoped that at this time an agreement on the venue for the OELTWG meeting could be reached.

15. The meeting supported a five-member OELTWG bureau with representation from the five United Nations regions as a means of maintaining the necessary flexibility and inclusiveness that has characterized the SAICM framework as a voluntary and non-legally binding instrument.

16. The meeting identified with and shared the preference of the Latin American and Caribbean region for travel support to be provided for at least one representative from each developing and transition economy country. However, in view of the funding constraints faced by the secretariat and the need to ensure that the preparatory process for the second session of the ICCM was not jeopardized, the meeting determined that the African region could support the holding of the Working

Group meeting in the Latin and Caribbean region on the understanding that travel support would only be provided for a limited number of participants from each eligible region. The African region would expect preparatory meetings for subsequent sessions of the ICCM to be hosted by developing countries from other regions on a rotational basis. This would facilitate participation of countries that otherwise would have been constrained by the absence of travel support.

17. The meeting called for the provision of travel support to attend the OELTWG meeting for the regional focal point and at least three governmental representatives from each of the five sub-regions (north, central, east, west and south) and one representative each from the BCRCC, public interest non-governmental organizations (coordinated by IPEN), labour (coordinated by the International Trade Union Council) and health (coordinated by Physicians for Social Responsibility) making a total of 20 representatives from the region, which comprises 53 countries. It was agreed to nominate the following Governments to receive travel support for one representative each to attend the OELTWG meeting:

- (a) Egypt, Morocco, and Tunisia (North Africa);
- (b) Chad, Congo, and Gabon (Central Africa);
- (c) Comoros; Kenya, and Uganda, (Eastern Africa);
- (d) Ghana, Mali and Togo (West Africa); and
- (e) South Africa, Zambia and Zimbabwe (Southern Africa)

18. A representative of IPEN advised the meeting that they had nominated Mr. Jamidu Katima (Agenda), with Mr. Henry René Diouf (PAN) as alternate, to receive the travel support requested for an African public interest non-governmental organization to participate in the OELTWG meeting. The representative of Physicians for Social Responsibility, Mr. Paul Soake, advised the meeting that he was the nominee to receive the travel support requested for African non-governmental organizations from the health sector.

19. The meeting was of the view that that the number of representatives from other regions to receive travel support should reflect the relative size of each region. This would ensure a fair geographical balance in representation.

A. Development of draft rules of procedure for the ICCM

20. The co-chair introduced a proposal by the African Core Group for a regional position on aspects of the ICCM rules of procedure. In relation to the composition of the bureau for the ICCM, the meeting favoured adopting a African position for an expanded bureau in view of the entire essence and objective of SAICM being to provide a coherent, coordinated, multi-stakeholder, multi-sectoral and inclusive framework for chemicals management. Various combinations of representatives of Governments, intergovernmental and nongovernmental organizations were discussed. In relation to functions of the ICCM bureau, the meeting supported an inter-sessional role for the bureau in addition the role of assisting with the conduct of meetings. This was to facilitate implementation of SAICM within the various United Nations regions in close cooperation with SAICM national focal points. The meeting agreed on an African position on decision-making procedures that the ICCM should make every effort to reach agreement by consensus, but that, if that was not achievable, decisions should be taken by a vote of the governmental representatives. A contact group was established to work further on the African position on the ICCM rules of procedure.

21. In reviewing the revised proposal, the meeting agreed to adjust the proposed membership of the bureau by maintaining the category of health and omitting the category of “science” from the non-governmental organization representation in order to preserve a numerical balance between Government and non-governmental members. The position, as amended, is contained in Annex II to the present document.

B. Other matters on the agenda of the Working Group

22. Recognizing that other substantive matters on the agenda for the OELTWG would be discussed under subsequent agenda items of the present meeting, the meeting focused on the thought-starter prepared by certain European Union and JUSSCANNZ³ countries on a process for the addition of new items to the SAICM Global Plan of Action. The African Core Group had prepared a proposed African regional position on this matter. Discussions focused on the distinction between new and emerging issues, the availability of information in the public domain and the justification of the grounds for concern. The proposed African position on the process for addition of new items to the SAICM Global Plan of Action was subsequently adopted as amended and is set out in Annex III to the present report.

C. Nominations of African representatives for bureau and other positions

23. The meeting did not decide upon African nominations for the OELTWG bureau or other positions that may need to be filled at the OELTWG meeting.

V. Preparations for the second session of the ICCM

24. A representative of the secretariat introduced document SAICM/RM/Afr.2/8 containing the annotated provisional agenda for the second session of the ICCM and the current status of consultations with the Friends of the Secretariat.

A. Reporting to the ICCM on progress in the implementation of SAICM

25. A representative of the secretariat introduced document SAICM/RM/Afr.2/4 providing a summary of progress in work on SAICM reporting modalities and SAICM/RM/Afr.2/4/Add.1 containing an overview of the proposed indicators for four stakeholder groups (Governments, intergovernmental organizations, industry and non-governmental and civil society organizations). She indicated that pilot testing of the draft indicators was currently being finalized among Governments, including five Governments from the African region: Egypt, Liberia, Nigeria, South Africa and Zimbabwe. She expressed appreciation to these countries, in particular, as their reported experiences and information addressing the proposed indicators would enable an analysis to be prepared for the OELTWG. This analysis, the proposed indicators themselves and the accompanying draft baseline report were intended to enable the OELTWG to consider whether the preparation of this issue was sufficient enough for decisions on reporting modalities to be made at the second session of the ICCM or whether additional preparation was needed. Given the time period between the sessions of the ICCM, a decision on the modalities of periodic reporting on SAICM implementation was an important issue for the ICCM as the next session of the ICCM would not be until the year 2012. At that time only eight years would remain before the Johannesburg Plan of Implementation target of achieving the sound management of chemicals by 2020.

26. The co-chair introduced a proposal prepared by the African Core Group for an African regional position on the development of modalities for reporting on implementation of SAICM. The proposed position was based on the experiences and feedback of the five African countries voluntarily testing the proposed reporting indicators for governments. The proposal before the meeting included specific comments on the draft questionnaires for collecting indicator data and recommendations for improving the questionnaires and means of encouraging their completion.

27. The meeting agreed to adopt the proposals of the African Core Group which are set out in Annex IV to the present report.

³ Japan, United States, Switzerland, Canada, Australia, Norway and New Zealand.

B. Financial considerations

28. The co-chair introduced document SAICM/RM/Afr.2/5 containing a summary of discussions on SAICM financial considerations from regional meetings since the first session of the ICCM, including the African regional position on financial considerations adopted at the first African regional meeting on SAICM.

29. The co-chair introduced a proposal prepared by the African Core Group for updating the African regional position on financial considerations. The proposed updated position was subsequently adopted as amended as is set out in Annex V to the present report.

30. The co-chair introduced two documents prepared by the African Core Group: a thought-starter on economic instruments and a proposal to establish a Global Environment Facility (GEF) focal area for sound chemicals management. The meeting agreed that these documents, reproduced in Annexes VI and VII of the present report, should be forwarded to the OELTWG as an African contribution to the discussions on financial issues.

C. Emerging issues

31. The co-chair introduced document SAICM/RM/Afr.2/6 which focused on the function of the ICCM set out in paragraph 24 of the SAICM Overarching Policy Strategy to “focus attention and call for appropriate action on emerging policy issues as they arise and to forge consensus on priorities for cooperative action.” The document contained a copy of a questionnaire seeking advance information as to which “emerging issues” stakeholders would wish to have discussed by the ICCM. Submissions on this topic were invited before 31 August 2008 to help prepare for discussions at the OELTWG meetings.

32. The co-chair also introduced a proposal prepared by the African Core Group on African regional nominations of emerging issues for consideration by the ICCM. Nominations were initially proposed on the following four issues: bio-fuels, electronic waste, climate change and dry-cell batteries. Several participants requested clarification that electrical household appliances were covered by the term “electronic waste.” Several other participants expressed the view that risks associated with electronic waste were of immediate concern and should not be confused with something that was of an emerging nature to be dealt with in the years to come. Other participants called for action to address the source of the electronic waste. The meeting discussed how best to place the issues before the ICCM and favoured addressing the issue as an emerging concern and also drawing attention to it in the context of the SAICM Global Plan of Action. A contact group was established to formulate a revised proposal for consideration by the meeting.

33. Following further discussion, the meeting adopted an amended set of “emerging issue” nominations, comprising biofuels, electronic waste, climate change and waste containing heavy metals. The nominations are contained in Annex VIII to the present report. In addition, the meeting adopted a position on the prioritization of issues in the Global Plan of Action. The position is contained in Annex IX to the present report.

D. High-level segment

34. The secretariat introduced document SAICM/RM/Afr.2/7 containing the concept note for a round table to be held during the high-level segment of the second session of ICCM drawing attention to the opportunity to convey a communiqué from the event to the sixty-second World Health Assembly which will take place the week after the second session of the ICCM. The meeting expressed support for the proposed public-health theme of the special round table event and noted that this would be one component of the full high-level segment with high-level discussants invited from all relevant sectors. Several participants emphasized the need to include workers' health and the linkage with poverty reduction in the issues to be addressed in the round table. One participant highlighted, however, that this will require that Ministers of Labour also be invited. Another added that the International Labour Organization plays an important role in workers' health. One participant reminded the meeting of the thematic discussions on waste, livelihood and human health that had taken place during the ninth session of the Conference of the Parties to the Basel Convention and considered that the proposed round table discussion at the second session would be a welcome sequel.

The meeting concluded discussion on this item by emphasizing the need for an action-orientated communiqué to relevant decision-making bodies.

E. Other issues on the agenda of the ICCM

35. The secretariat summarized the remaining issues on the annotated provisional agenda and drew attention to those relating to implementation of, and coherence among, international instruments and programmes, collaboration with intergovernmental organizations including the Commission on Sustainable Development and IFCS, and the budget for the next inter-sessional period. One participant suggested that the World Trade Organization should be encouraged to participate in the second session of ICCM in relation to trade and environment issues.

VI. Update on implementation of SAICM in Africa

A. Governments

36. The co-chair introduced the following documents: SAICM/RM/Afr.2/INF/1 containing questionnaires completed by African Governments before the meeting on their initial SAICM implementation efforts and SAICM/RM/Afr.2/INF/1/Add.2 containing a summary analysis of the information. The co-chair requested other Governments to complete the questionnaire before the end of the meeting. This supplementary information was issued in document SAICM/RM/Afr.2/INF/1/Add.1. Some Governments reported that implementation of SAICM was still at an initial stage and so limited detail was available.

37. The co-chair introduced a proposal from the African Core Group for guidelines for national focal points. One participant noted the need for budgetary allocations to be made to support the work of national focal points. Another participant emphasized that inter-institutional committees set up to coordinate national SAICM implementation should include representatives of non-governmental organizations. The meeting adopted the guidelines, as amended, which are contained in Annex X to the present report.

B. Intergovernmental and regional organizations

38. The representative of the secretariat introduced document SAICM/RM/Afr.2/INF/2 containing information submitted by intergovernmental and regional organizations, SAICM/RM/Afr.2/INF/3 containing the guidance materials from participating organizations of the Inter-Organization Programme for the Sound Management of Chemicals (IOMC) and document SAICM/RM/Afr.2/INF/12 containing a guidance document on developing a capacity assessment for sound management of chemicals and SAICM national implementation, prepared by UNITAR. The representative of UNITAR drew attention to the UNITAR pilot projects supporting national SAICM implementation and the work of UNITAR in assisting with the development and execution of QSP Trust Fund applications. WHO provided an update to the information it had provided ahead of the meeting and drew attention to the seemingly growing numbers of public-health related chemicals incidents, e.g. the mass poisoning in Angola involving sodium bromide and the large population in Senegal suffering from severe lead poisoning as a result of artisanal recycling of lead from lead-acid batteries. These incidents emphasized some of the capacity-building needs at various levels in the health sector. He also provided information on the need for recycling and sound disposal of insecticidal bed-nets. FAO provided an update on implementation of the Code of Conduct on the Distribution and Use of Pesticides and the Africa Stockpiles Programme. He informed the meeting of opportunities to participate in the next phase of the Programme.

C. Non-governmental organizations

39. The co-chair introduced document SAICM/RM/Afr.2/INF/2 containing information submitted by non-governmental organizations. The Pan Africa Chemistry Network spoke of its activities related to food security and capacity-building among African scientists. AGENDA highlighted the projects it was engaged in anglophone African countries, explaining the links between each activity and the relevant section of the SAICM Overarching Policy Strategy. IPEN spoke of the

Global SAICM Outreach project to expand the contribution of non-governmental organizations to SAICM implementation and to increase the effectiveness of participation from this stakeholder group. DHDR spoke of its work with IPEN, and on persistent organic pollutants. Sustainlabour introduced its activities on climate change and chemicals, its inventory of toxic toys and its activities with workers in the flower growing industry in Africa. CREPD spoke of their activities in relation to heavy metals, particularly lead and mercury. The representative of ICCA updated the meeting on implementation of the ICCA Responsible Care Charter and Global Product Stewardship activities, including the outreach of the initiative to Russia and ongoing work in China. The representative of SETAC provided an overview of its SAICM implementation activities including detail of planning to execute an approved QSP project intending to increase the capacity of scientists in Africa to participate in chemicals assessment and management activities. He also drew attention to the interests of SETAC in engaging with its membership to identify and address emerging issues. WWF provided an update on implementation of the Africa Stockpiles Programme with activities in seven African countries underway in the initial phase. PAN presented the SAICM implementation activities of francophone African non-governmental organizations. These included promoting sustainable agriculture strategies, raising awareness, monitoring health and environmental effects of pesticides like endosulphan, and promoting the strengthening of national regulations on chemicals.

40. Civil-society organizations made a formal statement to the meeting on SAICM, which is reproduced in Annex XI to the present report.

D. Quick Start Programme projects

41. The representative of the secretariat introduced document SAICM/RM/Afr.2/INF/6 containing a status report on the QSP with African highlights. The meeting also had before it the report of the first African regional meeting on SAICM, (SAICM/RM/Afr.2/INF/5) in which priorities for possible regional projects were set out in paragraphs 61 to 65.

42. Twenty-two QSP projects had been approved for the African region, almost one half of the total for all regions combined. The approved projects included national, multi-country and non-governmental organization projects. Governments with approved QSP projects took the opportunity of the meeting to share information on their experiences with the QSP programme to date. Participants discussed the issue of several African projects being kept deliberately small in the initial application rounds of the QSP Trust Fund, delays in the disbursement of approved funds and the recent clarification given by the QSP Executive Board limiting each country to one national project, one multi-country project and one civil society project. The representative of the secretariat advised that at its third meeting the QSP Executive Board had agreed that where initial projects approved in initial application rounds were valued at less than \$100,000, additional applications in each category could be made in future. Participants also expressed concern about the sustainability of the QSP and the need for a possible extension of the programme beyond its current five year life-span.

43. Two participants spoke of delays in accessing QSP project funds, e.g., the case of fund transfer through UNDP. The two projects concerned were ones in which UNITAR was the executing agency. The representative of UNITAR noted that specific process for transferring funds depended on the preference of the applicant country. He stated that while in some cases transfer using an existing route for transferring project funds, such as utilizing UNDP mechanisms, was the best solution, direct transfer into a bank account agreed with the applicant was also possible. IPEN identified the following priority areas for QSP project proposals: sound agricultural practices; contaminated sites; waste minimization demonstration projects; legal and institutional frameworks; and implementation of the Globally Harmonized System of Classification and Labelling of Chemicals (GHS).

44. The meeting agreed that the concerns expressed by the present meeting should be brought to the attention of the QSP Executive Board and the second session of ICCM, as appropriate. It was noted that a teleconference of the Executive Board would occur in September 2008, and this provided an immediate channel of communication and discussion of the concerns of the African region.

VII. Recent and current African developments relevant to SAICM

A. The twelfth session of AMCEN

45. The meeting had before it document SAICM/RM/Afr.2/INF/14 containing pertinent extracts from the Declaration and the full text of Decision 5 of AMCEN at its twelfth session held in Johannesburg from 10 to 12 June 2008. The regional focal point, who had participated in the AMCEN session gave additional explanatory information on the outcomes. She highlighted the decisions to provide high-level support to national implementation plans for SAICM and chemicals-related multilateral environmental agreements; inviting the ICCM at its second session to adopt a suitable financial mechanism for SAICM; requesting the Executive Director of UNEP to facilitate the promotion of regional and subregional cooperation and exchange of experiences and to make use of regional centres to define projects of regional scope; and inviting the President of AMCEN to transmit the decision on chemicals and hazardous waste management to the Inter-Ministerial Conference on Health and Environment in Africa, to be held from 26 to 29 August 2008 in Libreville, Gabon.

46. Noting references in the AMCEN decision to the Bamako Convention on the Ban of the Import into Africa and the Control of Transboundary Movement and Management of Hazardous Wastes within Africa, many participants emphasized the need to hold the first meeting of the Conference of Parties to the Convention and to secure financial commitments from African Governments to support its implementation. Assistance from the African Union Commission and the United Nations Economic Commission for Africa had been requested in this regard.

B. The first Inter-Ministerial Conference on Health and Environment in Africa

47. The meeting had before it document SAICM/RM/Afr.2/INF/7 containing information on the objectives and expected outcomes of the first Inter-Ministerial Conference on Health and Environment in Africa. The co-chair introduced a proposed submission to this first Inter-Ministerial Conference that had been prepared by the African Core Group. WHO informed the meeting that the Conference could seek to review progress in African countries on reducing reliance on DDT while increasing efforts to curb the burden of malaria on African health and development prospects.

48. The proposed submission to the Inter-Ministerial Conference was subsequently adopted as amended as is set out in Annex XII to the present report.

C. The Pan Africa Chemistry Network

49. The meeting had before it document SAICM/RM/Afr.2/INF/8 containing information on the initiative of the UK Royal Society of Chemistry to establish a Pan Africa Chemistry Network.

50. The co-chair invited the representative of the Pan Africa Chemistry Network to brief the meeting on the Network, which had recently been established with support from the Royal Society of Chemistry of the United Kingdom and funding by the multinational company, Syngenta. The first sub-regional hub had been set up in Nairobi, Kenya. Mr. Jamidu Katima of the University of Dar es Salaam had attended the launch of the Kenyan hub on 27 May 2008, on behalf of the secretariat. Many participants welcomed the initiative to establish the network but sought information as to its sustainability and on measures to ensure that research activities would not be influenced by sponsors. Other participants called for the setting up of further sub-regional hubs for the Network. The representative of the Network acknowledged the need to secure longer-term financing beyond the initial five-year support, explained that the present sponsor was not directly involved in the Network and indicated that the establishment of further sub-regional hubs would be a matter for negotiation between the Royal Society of Chemistry and interested potential hosts.

51. The meeting agreed to adopt the following position in relation to the Pan Africa Chemistry Network:

“The Pan Africa Chemistry Network, launched in 2007 by the Royal Society of Chemistry of the United Kingdom, is a welcome development. This, together with other regional

chemistry initiatives will, be catalytic to the further development of teaching of chemistry and innovative research in tertiary institutions in the African continent with eventual development of the chemistry profession in the region. The African region recommends that efforts should be made to:

- Ensure the long term sustainability of the Network;
- Undertake research activities driven by the needs of the region, and addressing issues that contribute to sustainable regional development; and
- Open more Network hubs in African universities to encourage a wider spectrum of research activities on the continent.”

D. Other developments

52. One participant recommended that the emerging issue of nanotechnology should be brought to the attention of AMCEN. Another informed the meeting of a recent East African conference on population, health and environment linkages that had potential relevance for chemicals management issues. One participant referred to the need to improve controls on the import of electronic goods liable to generate hazardous wastes.

VIII. Preparations for the sixth session of the Intergovernmental Forum on Chemical Safety (Forum VI)

A. Chemical safety issues on the agenda of the Forum

53. The meeting had before it document SAICM/RM/Afr.2/INF/10 containing the provisional agenda for the sixth session of the Intergovernmental Forum on Chemical Safety (IFCS) to be held from 15 to 19 September 2008, in Dakar, Senegal. The IFCS Vice-President for the African region informed the meeting that items on the agenda for the sixth session of the Forum would be presented during a side event at the current meeting.

B. The future of the Forum

54. The meeting had before it document SAICM/RM/Afr.2/INF/11 containing the draft decision document on the future of the Forum. The IFCS Vice-President for the African region outlined the options which had been proposed with regard to the future of the Forum. The meeting adopted a regional position on the future of the IFCS, as proposed by the African Core Group. The position supported the continuation of the Forum as an independent entity, or, if that were not possible, its transformation into a subsidiary body of the ICCM. The position adopted by the meeting is contained in Annex XIII of the present report.

IX. Other matters

55. The representative of the secretariat advised that the additional material referred to by SETAC had been copied and was available to participants. He asked those organizations that had held side events to distribute any material used as visual aids to participants directly. The secretariat could provide a list of meeting participants to help with this process.

56. The representative of the Government of Côte d'Ivoire extended an invitation for the next SAICM regional meeting to be held in his country.

X. Adoption of the report

57. The meeting adopted the present report on the basis of the draft report contained in documents SAICM/RM/Afr.2/L.1 and entrusted the rapporteur, working together with the co-chairs and the secretariat, with its finalization.

XI. Closure of the meeting

58. The meeting concluded its business at 6 p.m. on Thursday, 17 July 2008. It was briefly reconvened on the following afternoon in order to adopt its report. Following the customary exchange of courtesies, the meeting was declared closed at 1.15 p.m. on Friday, 18 July 2008.

Annex I

Progress report on the work of the African Core Group (ACG) from September 2006 to July 2008 and recommendations adopted at the second African regional meeting on SAICM, Dar es Salaam, 16-17 July 2008

No	Activities	Progress	Constraints	Recommendations
1	To provide technical assistance in the formation of regional and subregional project proposals as requested by the African SAICM regional focal point.	<p>Two regional projects were developed for the 2nd round of QSP. One by Egypt and South Africa one by the African Civil Society.</p> <p>Several national QSP projects were approved and funded.</p> <p>The regional and national projects are listed in http://www.chem.unep.ch/SAICM/qsp/approved_projects/summary.htm</p> <p>The ACG mandated the Basel Convention Regional Coordinating Centre to be responsible for coordinating the development of proposals.</p>	<p>Unsuccessful in securing QSP funding because project 1 was too big i.e. more than USD 250 000 and project 2 because Africa already used their part of the funds.</p> <p>The projects that were approved identify a problem with slow transfer of funds.</p>	<p>Strengthen the capacity of Focal Points for Projects development and roll-out.</p> <p>Invite Stockholm Convention centres and other regional institutions to assist in developing project proposals.</p>
2	To assist the regional focal point in harmonization and follow-up efforts intersessionally.	The ACG worked with the regional focal point and Friends of the Secretariat to prepare for the first meeting of the OELTWG and the second session of the ICCM.	Limited time.	Establish dedicated SAICM desks at UNEP and WHO regional offices and sub-regional desks to facilitate intersessional work
3	To review, from time to time, the SAICM Global Plan of Action for the purpose of adapting it to national and regional priorities.	The ACG reviewed the SAICM Global Plan of Action and developed an African Regional Action Plan that identifies priorities.	Capacity constraints in implementing the African Regional Action Plan and limited funding through QSP.	The ICCM should consider the need for more capacity to facilitate speedy implementation.
4	To prepare, in collaboration with the regional focal point, materials and agendas for regional meetings.	The ACG prepared the agenda and materials for the second African regional meeting, including draft positions for the first meeting of the OELTWG and the second session of the ICCM.		Develop further position papers with recommendations for consideration by the African region.
5	To assist the regional focal point in preparing draft regional position papers for submission to AMCEN and the ICCM.	The ACG prepared a draft regional position paper for the first African Inter-Ministerial Conference on Health and Environment.		Develop further position papers with recommendations for consideration by the African region.

No	Activities	Progress	Constraints	Recommendations
6	To serve, through members of the Group, as conduits for the views of subregions on SAICM implementation.	Almost all African countries have appointed national focal points.	Lack of an e-mail network among national and subregional focal points. Lack of capacity among national focal points. Poor facilities available to focal points.	The ACG should develop guidelines on the role and responsibilities of national focal points. Establish electronic networking among national and, later, subregional focal points. Focal points should be better facilitated to carry out their functions.
7	To facilitate reporting on SAICM implementation in Africa and on the provision of resources to support such implementation.	Liberia, Nigeria, Egypt, Zimbabwe and South Africa participated in the pilot testing of the questionnaire for Governments developed under the Canadian sponsored project on SAICM reporting modalities.	The questionnaire was very comprehensive but difficult to complete due to capacity constraints.	Present African views on the draft questionnaire.
8	To facilitate African promotion of the establishment of a new chemicals management focal area in the GEF.	The ACG developed an African position paper which was provided to African representatives on GEF Council and tabled at the second African regional meeting.	No clear feedback was received from African representatives on the GEF Council.	Use GEF where applicable and available without the chemical focal area but also continue to pursue the issue of a chemicals focal area.
9	To facilitate the promotion and adoption of national economic instruments that can help to cover the cost of sound chemicals management.	The ACG developed a thought starter.	Limited input was received from countries.	Forward the thought-starter to the second session of the ICCM.
10	To coordinate implementation of the Regional Action Plan for the Implementation of SAICM in Africa. To facilitate the full involvement of all stakeholders including coordination, cooperation, and communication with other regional coordinators and the SAICM secretariat. To report progress on implementation of the Regional Action Plan and information exchange within the African region and with other regions.	Communication channels were established between the regional focal point, the ACG and national focal points. There has been regular correspondence between the regional focal point and the SAICM secretariat. SAICM was again put before AMCEN, which in June 2008 adopted a further decision supporting SAICM implementation.	Limited resources and capacity for effective implementation by the national focal points and stakeholders.	Continue coordination and expand capacity to ensure full involvement of all stakeholders.

No	Activities	Progress	Constraints	Recommendations
	To identify and mobilize available African institutional support, for example from the African Development Bank, the AMCEN secretariat, the New Partnership for African Development (NEPAD) and the United Nations Economic Commission for Africa.			

Recommendations to the second African regional meeting

1. Establish dedicated sub-regional SAICM desks to ensure subregional coordination and effective inter-sessional coordination.
2. Strengthen capacity of the regional focal point and the African Core Group.
3. Improve the capacity of countries to take part in forums that address the issues of chemicals management nationally, regionally and globally.
4. Establish national forums where various sector-specific focal points and other stakeholders can meet to coordinate on chemicals issues of national interest and develop a national consensus.
5. The ICCM should review the value limit for QSP Trust Fund projects with a view to increasing it to increasing to US \$500 000 in line with chemicals-related conventions such as the Stockholm Conventions (in relation to enabling activities for the development of Stockholm Convention National Implementation Plans).
6. UNEP procedures to transfer QSP Trust Fund project funding should be improved to ensure faster transfers by having standard Memorandums of Understanding between the implementing Agencies, UNEP and the national focal points.

Annex II

African regional position on the development of rules of procedure for the ICCM, adopted at the second African regional meeting on SAICM, Dar es Salaam, 16-17 July 2008

A. Composition of the bureau of the ICCM

1. The Overarching Policy Strategy provides, in paragraph 27, that the ICCM should have a bureau with functions in accordance with the rules of procedure. The structure of the bureau is not yet known because the rules of procedure will not be decided upon until the second session of the ICCM.
2. The African region favours an expanded bureau for the ICCM in view of the entire essence and objective of SAICM being to provide a coherent, coordinated, multi-stakeholder, multi-sectoral and inclusive framework for reaching the 2020 chemicals management goal set out in the Johannesburg Plan of Implementation. During the process of developing SAICM, the African region took on board the views and inputs of non-governmental organizations and key regional organizations (for example, those with region-wide responsibilities relevant to the sound management of chemicals) such as the BCRCC and participating organizations of the IOMC with a significant regional chemical safety programme. It is noteworthy that this approach has greatly facilitated the implementation of SAICM in the region.
3. The African region proposes that the bureau of the ICCM should comprise 10 members as follows:
 - (a) One Government representative from each of the five United Nations regions, each of whom will also serve as the regional focal point for his or her region;
 - (b) One representative of the participating organizations of the IOMC and UNDP;
 - (c) One representative of each of the following four sectors of civil society:
 - (i) industry;
 - (ii) labour;
 - (iii) health;
 - (iv) public interest.
4. In considering this composition and the importance of ensuring multi-stakeholder representation in the bureau of the ICCM, the region had given cognizance to the fact that SAICM, unlike other United Nations instruments, is a voluntary framework with the overall goal of protecting human health and the environment and the need to maintain necessary flexibility in its structure as a non-legally binding policy instrument.

B. Functions of the bureau of the ICCM

5. It is proposed that, in addition to assisting in the conduct of meetings, the bureau of the ICCM should serve as the inter-sessional coordinating body to facilitate implementation of SAICM within the various United Nations regions in close collaboration with SAICM national focal points. The term of office of the bureau will last until the close of each/respective session of the ICCM.
6. The proposed functions of the bureau are as follows:
 - (a) To provide technical assistance and guidance in the development of key programmes and project proposals for implementation of SAICM within respective regions;

- (b) To facilitate the harmonization of follow-up efforts between sessions of the ICCM;
- (c) To prepare, in collaboration with the secretariat, agendas and materials for sessions of the ICCM;
- (d) To serve as conduits for the views of respective regions on implementation of SAICM;
- (e) To facilitate reporting on implementation of SAICM and on the provision of resources to support such implementation.

C. Decision-making by the ICCM

7. The position of the African region with respect to decision-making procedures for the ICCM is that participants should make every effort to reach agreement by consensus but, if consensus is not achieved, decisions should be taken by a vote of the governmental representatives.

Annex III

African regional position on the thought-starter prepared by certain EU-JUSSCANNZ countries on guidelines for the identification of new issues for inclusion in the SAICM Global Plan of Action, adopted at the second African regional meeting on SAICM, Dar es Salaam, 16-17 July 2008

During its second meeting on SAICM held in Dar es Salaam, Tanzania, from 16 to 18 July 2008, the African region considered the thought-starter⁴ prepared by certain European and JUSSCANNZ countries on possible guidelines for the identification of new issues for inclusion in the SAICM Global Plan of Action. The region made the following observations:

1. The thought starter provides a good basis for a process to identify new issues for inclusion in the Global Plan of Action. These may include issues contained in “Table C” of the former draft Global Plan of Action, on which consensus was not reached at the first session of the ICCM for their inclusion in the Plan.
2. However, while the title of the thought-starter refers to the inclusion of new issues, the proposed content of the justification document, particularly as elaborated in Appendix 1 (i.e. supplementary information), suggests that the term “new” is referring to issues that are not currently addressed in the Global Plan of Action. In the case of some emerging issues, the detailed information called for in the proposed justification document may not be available. Such information may not be in the public domain or have been tabled in open discussions.
3. The “knowledge and information” objectives set out in paragraph 15 of the SAICM Overarching Policy Strategy include research in areas where there is insufficient data. Activity 85 of the Global Plan of Action is to “Collect data on the use patterns of chemicals for which there is a reasonable basis of concern where necessary to support risk assessment characterization and communication.”
4. While the African region accepts the thought-starter as a basis for negotiation, it proposes that, in order to take account of the above concern, the following sentence should be added to paragraph 10 of the document: “However, activities relating to emerging issues on which there is insufficient information in the public domain, but for which there are reasonable grounds for concern that there may be adverse impacts on human health or the environment, may be proposed to the ICCM for consideration.”

⁴ Revised version of the thought-starter, 2 June 2008, posted on the SAICM web site, www.chem.unep.ch/saicm.

Annex IV

African regional position on the development of modalities for reporting on SAICM implementation, adopted at the second African regional meeting on SAICM, Dar es Salaam, 16-17 July 2008

Introduction

1. The following African countries participated in the pilot testing of the draft indicators for reporting on SAICM implementation:⁵ Egypt, Liberia, Nigeria, South Africa and Zimbabwe. The draft position paper is based on their experiences and feedback.
2. The draft questionnaire developed under the Canadian-sponsored project is very comprehensive and covers all the objectives of the Overarching Policy Strategy. However, Africa's view is that the questionnaire, as currently formulated, cannot easily be used to monitor progress of individual countries from one session of the ICCM to another. Total performance may be able to be monitored by calculating the number of countries at each level of implementation at each session of the ICCM.
3. The requirement for narrative in each section of the questionnaire is very onerous and it is not clear why it is required and how it will be captured.
4. In considering the ease of response, it is important to note that the large majority of respondents are developing and least developed countries where, in some cases, even the most basic legislative regime is not in place. The less than complete response to the implementation questionnaire issued by the secretariat in advance of regional meetings, which was much easier to complete, should provide some indication of the challenges presented by these forms.

Comments on the proposed questionnaire

Monitoring

5. Monitoring of performance is an important element of any strategy so its inclusion is supported. However, the notion that the current questionnaire could be used to evaluate whether exposure to chemicals has been reduced is not supported as this would require the submission of quantitative and verified data, which the questionnaire does not request.

Chemical categories

6. The current notion that subdivision into the various categories would provide quantitative data is not the case in view of the fact that currently the questions are not quantitative.

Implementation code

7. The codes do not provide sufficient flexibility to reflect what is probably the most common situation in most developing countries, namely the partial implementation of the instrument. An additional code for partial implementation should therefore be provided and the extent to which the implementation is partial could be handled in the description if necessary.

⁵ The draft reporting indicators were developed under a Canadian-sponsored project in early 2008 with guidance from an international steering committee.

Completion of the questionnaires

8. The forms are difficult to complete for the following reasons:
 - (a) There is insufficient flexibility to recognize pre-existing instruments.
 - (b) The questionnaire does not allow countries to reflect partial completion of implementation.
 - (c) This challenge could be addressed by requesting respondents to indicate in the description space to what extent the instrument referred to covers the whole value chain.
 - (d) There are too many categories and these should be reduced to cover industrial and agrochemicals only.

Conclusion

9. The second African regional meeting on SAICM confirmed the importance of reporting on implementation at a national level in order to measure progress towards the 2020 goal for sound management of chemicals set out in the Johannesburg Plan of Implementation.
10. The meeting expressed its appreciation for the support of the Government of Canada for the development of a comprehensive reporting questionnaire, which has been piloted in several countries in the various regions.
11. The following observations were made:
 - (a) It was difficult to coordinate the inputs into the questionnaire because different Ministries are responsible for different work areas.
 - (b) There is still a lack of awareness of SAICM.
 - (c) The logistics of completing the questionnaire were further complicated because of limited resources and capacity available to national focal points.
 - (d) Definitions are not comprehensive
12. The following recommendations were made:
 - (a) The questionnaire should be made more user-friendly.
 - (b) The questionnaire approach should be combined with national meetings to facilitate collection of the information
 - (c) The need to consider what information the stakeholder can reasonably provide is an important consideration that should be borne in mind when developing an approach.
 - (d) Provision of resources for information gathering to complete the questionnaire will be crucial to facilitate effective reporting.

Annex V

Updated African regional position on SAICM financial considerations, adopted at the second African regional meeting on SAICM, Dar es Salaam, 16-17 July 2008

The SAICM Overarching Policy Strategy in paragraph 19, states that “SAICM should reflect national, regional and global efforts to advance the sound management of chemicals recognizing Principle 7 of the Rio Declaration on Environment and Development. SAICM should call upon existing and new sources of financial support to provide additional resources and should build upon, among other things, the Bali Strategic Plan for Technology Support and Capacity-building. It should also include the mobilization of additional national and international financial resources, including through the QSP and other measures set out in this paragraph, to accelerate the strengthening of capabilities and capacities for the implementation of SAICM objectives. The extent to which developing countries, particularly least developed countries and small-island developing States, and countries with economies in transition can make progress towards reaching the 2020 goal depends on the availability of financial resources. Participants in the second African regional meeting on SAICM, held in Dar es Salaam from 16 to 17 July 2008, adopted the following position on SAICM financial considerations:

- “1. SAICM addresses financial considerations in chapter V of the Overarching Policy Strategy, where it is recognized that “SAICM should call upon existing and new sources of financial support to provide additional resources and should build upon, among other things, the Bali Strategic Plan for Technology Support and Capacity-building”. Furthermore, the Overarching Policy Strategy provides that SAICM should also include the mobilization of additional national and international financial resources and other measures set out in paragraph 19 of the Overarching Policy Strategy to accelerate the strengthening of capabilities and capacities for the implementation of SAICM objectives.
2. African countries hereby call for:
 - (a) Donor countries to mobilize existing and new sources of financial support to provide additional resources for implementation of the SAICM in Africa and:
 - (i) African Governments to include the sound management of chemicals in requests for development assistance;
 - (ii) Donor countries to respond positively to requests for development assistance.
 - (iii) A sub-regional and regional reporting process to be established in order to evaluate progress in the provision of resources;
 - (b) Donor countries to increase their contributions to the Quick Start Programme (QSP) adequately to meet QSP needs;
 - (c) The ICCM at its second session to adopt a sustainable financial mechanism for SAICM in order to achieve the 2020 chemical safety goal set out in the Johannesburg Plan of Implementation.
 - (d) The GEF to establish a new focal area for sound chemicals management based on new and additional resources at the next meeting of the GEF Assembly and:
 - (i) The African Ministerial Conference on the Environment to support the establishment of a new GEF chemicals management focal area;
 - (ii) GEF Council members representing African country constituencies to present effectively to the GEF council the proposal for a new chemicals management focal area;
 - (iii) The African Core Group to facilitate the promotion of the above proposal;
 - (e) African countries to explore access to other potential global sources of funding for sound chemicals management such as the Multilateral Fund for the Implementation of the Montreal Protocol

on Substances that Deplete the Ozone Layer or through the Bali Strategic Plan for Technology Support and Capacity-building;

- (f) New resources from African bodies such as the African Development Bank, subregional development banks and the proposed African Environment Fund when it becomes operational to facilitate the implementation of SAICM in Africa and African Governments to include the sound management of chemicals in project proposals to such bodies as appropriate;
- (g) Regional and subregional organizations and other initiatives such as the New Partnership for Africa's Development to ensure their support for SAICM implementation activities by including sound chemicals management in their programmes of work;
- (h) Non-governmental and other civil society organizations to contribute to SAICM implementation actions;
 - (i) To encourage non-governmental organizations and foundations to provide additional funds for civil society to facilitate SAICM implementation;
 - (ii) To encourage civil society to establish a foundation;
- (i) The participating organizations of the Inter-Organization Programme for the Sound Management of Chemicals to give priority to African countries to support their programmes for effective implementation of SAICM, taking into account the concentration of Least Developed Countries in Africa and the region's extensive needs for assistance in chemicals management.
- (j) Industry partnerships, including financial, technical and in-kind support, to strengthen voluntary initiatives and to develop new initiatives with other stakeholders for SAICM implementation, taking into consideration the existing partnerships established under chemicals and waste related conventions;
- (k) Mobilization of national financial and other resources through relevant departments and ministries, especially those for agriculture, energy, environment, finance, health, industry, labour and trade, in order to facilitate implementation of SAICM in all relevant sectors;
- (l) Mobilization of resources through the synergy process between chemicals and waste related convention to support implementation of SAICM;
- (m) African countries, through their appropriate ministries and departments, to consider adopting national economic instruments that can help to cover the cost of sound chemicals management including, as appropriate, economic instruments to internalize the external costs of chemicals and:
 - (i) To encourage carefully-designed pilot efforts in a few countries;
 - (ii) To disseminate information on economic instruments already in use;
 - (iii) To encourage the exchange of information on relevant experiences and studies on the design and implementation of economic instruments from both new and existing economic instruments;
- (n) The African Core Group to facilitate the promotion and adoption of the national economics instruments referred to above."

Annex VI

Thought-starter on promoting the use of national economic instruments to cover the costs of chemicals management prepared by the African Core Group.

The thought-starter was considered by the second African regional meeting on SAICM held in Dar es Salaam on 16 and 17 July 2008. The meeting referred the document to the first meeting of the SAICM OELWTG, to be held in Rome from 21 to 24 October 2008, as a contribution by the African region to discussion on SAICM financial arrangements.

The document has not been formally edited and is presented as received from the African Core Group, in English only.

BACKGROUND

Economic instrument refers to a policy, tool or action which has the purpose of affecting the behaviour of economic agents by changing their financial incentives in order to improve the cost-effectiveness of environmental and natural resource management.

Economic instrument is thus a broad heading, which includes environmentally-related taxes as a policy measure.

These instruments provide continuous incentives, financial or otherwise, for sources to reduce emissions / release of pollutants or to make their products less polluting

These include:

- Taxes and user charges;
- Product taxes;
- Tradable permits;
- Deposit refund schemes; and
- Eco-labelling schemes.

Economic instruments seek to correct environmentally-related market failures [such as negative externalities (e.g. environmental impacts of chemicals production, use and disposal)] via the price mechanism. These measures:

- Provide incentives to encourage compliance (and complement the existing regulatory scheme);
- Provide long term signals to industry of the external costs associated with specific chemicals;
- Provide a continuing incentive to cost-reducing innovation;
- Encourage the early phase-out of use of a specific pollutant;
- Encourage the appropriate channel for disposal of a product; and
- Offer revenue gains (if taxes/charges are used) or a once-off revenue gain if tradable permits are auctioned

The paper could benefit considerably from application of the framework and criteria (Draft EFR Policy Paper) to the chemicals industry, that is category of chemicals, specific chemicals and / or chemical products as opposed to providing a summary of the criteria. An understanding of the chemicals industry is vital for the evaluation of the different economic instruments that could be used to achieve emission reductions.

APPLICATION OF ECONOMIC INSTRUMENTS TO THE CHEMICAL INDUSTRY

It is proposed that once the principles and approaches set out in this paper have been agreed then they should be applied to the chemical industry to evaluate the usefulness of the approach in order to provide more specific guidance to national governments.

FRAMEWORK FOR APPLICATION OF ECONOMIC INSTRUMENTS

Regulatory framework for taxation and enforcement capacity

A proper regulatory framework and enforcement capacity are essential to ensure the implementation of any economic instrument. This includes the establishment of basic public finance infrastructure and sound fiscal structures.

When it is sector specific intervention, in this case for the chemical sector, countries need to make explicit provision for the sector in terms of the synergies between sustainable development of the chemical sector and poverty reduction in order to increase the priority afforded to chemical management.

Principles of environmentally-related taxation

Imposition of a specific new tax instrument needs to be dealt with in line with national approaches to government interventions in economic activity. The main issues that need to be considered when identifying the rationale for government intervention and when selecting an appropriate form of intervention are set out in Figure 1.

Where an environmentally-related tax is selected as being potentially suitable, like other tax instruments, it must be developed in line with the principles of good taxation. It is important to ensure that these instruments contribute to fiscal integrity, are capable of raising revenue efficiently and are able to achieve their intended environmental outcomes.

Ideally, consideration should be given to analysing the environmental objective(s) and the difficulties this may cause for tax design *before* a decision regarding the choice of instrument has been made. Where a tax seeks to achieve an environmental objective, all the criteria together aim to assess two fundamental questions:

- Can a tax measure be used to address the environmental issue?
- Is that tax measure the best way of addressing the environmental issue?

From the instrument selection process outlined in Figure 1, some idea of the potential suitability of a tax measure may be evident. However, in order to answer these questions more fully, some form of *ex ante* appraisal is necessary which aims to understand, to the greatest extent possible, what the effects of the tax measure are likely to be, particularly in relation to potential impacts on competitiveness and income distribution. Whilst it is not always possible to anticipate all the likely impacts through economic models with absolute certainty, the *ex ante* assessment exercise should be capable of determining, with a degree of confidence, that the benefits of the proposed tax measure are likely to outweigh the costs incurred. In addition, where certain industries or income groups are likely to suffer genuinely unacceptable burdens as a result of a tax measure, possible mitigating and compensation measures should be identified at this stage.

In addition to *ex ante* assessment, *ex post* evaluation that seeks to understand the actual effects of a tax measure (or other forms of government intervention) is also important. Due to the difficulty of disentangling the effects of a specific tax measure, it is important to identify appropriate criteria against which the assessment will be made.

Guiding principles and Criteria for assessing environmentally related taxes

In addition to the general principles, more detailed criteria are needed to assess the appropriateness of environmentally related tax instruments. Table 1 outlines some guidelines in this respect and the extent to which the major principles of taxation can be applied when environmental objectives are considered.

Due to the diverse nature of environmental objectives and the range of tax options that could be used to address them, a simple weighting or ranking exercise is not appropriate. Instead, a range of broad criteria based on best practice is proposed. These will be the key criteria that can be used to assess different environmentally related tax instruments and should be taken into consideration by national governments when considering or developing proposals for such instruments. Most of the criteria are relevant to assessing the appropriateness of other market-based instruments.

Table 1: Guiding principles of environmentally-related taxation

General	Description	Applicability to environmentally related taxation
Neutrality	A tax should not unduly influence economic decision-making or the allocation of resources. This is particularly so where the intention of the tax is solely to raise revenue for the fiscus.	<p>Applicable where the objective of an environmentally-related tax is predominantly to raise revenue (as with the levy on plastic bags for example).</p> <p>Not applicable where environmentally related taxes have an incentive effect and it is the policy objective to strengthen this effect. In many cases, the principle of neutrality will not apply and it will be an explicit objective of the tax instrument to change taxpayer behaviour. Under such circumstances, it may be appropriate to ensure the tax is as visible as possible.</p>
Equity	Relates to the <i>ability to pay principle</i> . Horizontal equity requires that similar individuals be treated similarly. Vertical equity requires that those in different circumstances bear appropriately different burdens.	Generally applicable – principles of horizontal and vertical equity should be applied to the greatest extent possible.
Certainty, simplicity and minimising costs	<p>Taxpayers should be certain about the tax liability in a given set of circumstances. Simplicity is important to ensure greater certainty and facilitate cost minimisation.</p> <p>Administration and compliance costs should be kept to a minimum. Equally, the loss in welfare to society as a whole (the dead-weight loss) should be kept to a minimum.</p>	<p>Applicable – environmentally-related taxes add an extra layer of complexity where there is a specific environmental objective. Consequently, many taxes can be complex and the need for certainty and simplicity can not be over-stated.</p> <p>Applicable - as with all taxes, the ratio of costs to revenues should be as small as possible. Establishing new tax administration systems can be expensive. Equally, compliance burdens for taxpayers must be kept to a minimum.</p>

Criteria for assessing environmentally related taxes

Linking the tax to the externality

Environmental effectiveness

Where there is a clear environmental objective, the tax must be well targeted to that objective. Ideally, there should be a direct link between the environmental issue and the tax. Under such circumstances, incentives to change taxpayer behaviour are likely to be stronger and unintended side effects minimised. Where a direct link is not possible, the closest link should ideally be used instead.

The relative effectiveness of a market based instrument and an important facet of the chemicals policy of a jurisdiction is the availability of substitute chemical products and knowledge of the ability to innovate and therefore make available adequate substitutes. This is essential as these products could potentially be more environmentally detrimental and merely result in a shift of risk or pose an even greater risk to the environment. It is therefore important that chemical firms integrate the task of substitution into management systems along the supply chain, and focus on minimizing potential risk by implementing newer lower risk alternatives. In addition, strategies for dealing with information uncertainties related to substitutes in a reasonable way are equally important.

However, a wide range of factors influence the degree of substitution and the availability of these alternate products. Ideally, a highly competitive, demand dominated and differentiated quality markets and the proximity to the end consumer in most cases can encourage substitution. Through the interaction of the forces of demand and supply, various incentives should be provided through prices to encourage / discourage the up-take of certain chemical products. However, this is not the case in practice and it is therefore necessary for a certain degree of government intervention, if necessary, to address market inadequacies. It is therefore important to try and achieve an appropriate balance between demand and supply management. The interchange between the demand and supply dynamics of the economy is often wrongly overlooked as economic instruments (regulatory or market-based) tend to focus on either demand or supply management to the exclusion of the other.

Prior to the implementation of a particular policy, sufficient consideration should be given to the following issues.

- What exactly is the environmental problem that is being tackled?
- When the decision is taken on the adequate level of government intervention and the environmental problem to be addressed has been identified, an acceptable degree of stakeholder consultation would be required.
- The choice of instrument to achieve the environmental objective must be assessed in conjunction with other instruments and the most appropriate intervention should be chosen.

At the end of the policy development process, having identified the level of government intervention and the choice of instrument has been agreed on, should this be a tax then the design of the instrument would be crucial to negate the externality that is identified. This implies that the tax must be well targeted to that environmental objective with adequate incentives to change taxpayer behaviour and unintended side effects are minimized.

The tax must be aligned with complimentary measures such as regulation or voluntary agreements. Furthermore, these measures could contribute to achieving other social and economic objectives such as employment creation and poverty alleviation.

Aiming for best design and small number of exemptions

To ensure that the tax is as effective as possible, the *best design* should be aimed for. As a rule, exemptions should be kept to a minimum so as to not impact adversely on administrative requirements. In some cases, concessions may be necessary to avoid creating perverse incentives that undermine the environmental effectiveness of the tax.

In general, if concessions are to be granted to those contributing to environmental damage, they should take the form of lower tax rates rather than complete exemptions.

Tax Revenue

Level of tax revenues	<p>Some environmentally-related taxes have the potential to raise significant amounts of revenue. This is particularly so where the demand for the good or service being taxed is relatively price inelastic. Taxing price inelastic goods and services is generally regarded as good tax practice since decisions concerning the allocation of resources are not unduly influenced and revenues are likely to be buoyant over time (i.e. they are capable of growing as the economy grows). Environmentally-related taxes are not capable of raising large amounts of revenue where the particular good or service being taxed is very responsive to changes in price. In such instances, a tax could create strong incentives for consumers and / or producers to alter their behaviour. Consequently, revenues from the tax are likely to be comparatively small and decline over time.</p>
Use of tax revenues	<p>How the revenues are used may be an important aspect of the political acceptability of the tax.</p>
	<p>Support for the tax</p>
Assessing support for tax reform measures	<p>Although taxes are generally perceived as a necessary evil and are not very popular, they are necessary to fund government activities and the provision of public goods and services. The introduction of a new tax or reforms to an existing instrument will be much easier if there is public support and acceptance (or a lack of opposition to it). Where this is the case, improved standards of tax morality and compliance may result.</p> <p>In every case, there are likely to be winners and losers. Identifying these groups, their respective lobbying power and the extent to which they hold information that the government doesn't, are important steps in the assessment process. Similarly, ensuring that all relevant stakeholders are engaged will be an important aspect of building support for any tax reform.</p>
	<p>Legislative aspects</p>
Compatibility with other tax legislation and government commitments	<p>Generally the Minister of Finance in a country is responsible for imposition of taxes. However environmentally-related tax instruments often rely on different tax legislation.</p> <p>It is imperative that imposition of environmental taxes are considered is done in line with overall national tax policy.</p> <p>In a broader sense, environmental legislative measures would also have to be compatible with national commitments in terms of World Trade Organisation (WTO) agreements.</p>
	<p>Technical and administrative viability</p>
Defining the taxable commodity	<p>Technical and administrative issues are some of the most challenging aspects of environmentally-related tax development. The importance of a well-defined taxable commodity or event has already been highlighted in relation to environmental effectiveness. The tax base should be as close to the actual environmental objective as possible and should ideally be based on a precise and discretely measurable unit of pollution. Where this is not the case, a suitable proxy must be identified.</p>
Setting the tax rate	<p>How and at what level the tax rate is set is a critical design aspect. In an ideal world, the tax rate would be set according to the level of the externality, thereby reducing external costs to the socially optimal level.</p> <p>However, due to the difficulties in placing monetary values on environmental externalities and the inherent unreliability of these estimates, it is generally not appropriate to use such estimates for this purpose. Where there is a specific environmental target, how the quantum of the tax translates into specific environmental outcomes needs to be understood.</p> <p>Consideration must also be given to phasing in the tax gradually, with tax rates increasing over time (and with a significant pre-announcement period), or whether the intended tax rate should be adopted from the outset. In order to give taxpayers sufficient time to adjust, gradual implementation with pre-announcement is advisable.</p>
Tax avoidance and evasion	<p>Tax avoidance and tax evasion are potential problems that should be dealt with at the design stage. Perhaps most importantly, care must be taken not to create perverse incentives in the design of the tax. A good example of this would be a tax on (certain forms of) waste disposal. Such a tax would raise the cost of disposal through formal channels, thereby creating incentives</p>

at the margin to dispose of waste either illegally or through alternative means that may not be environmentally preferable. The extent to which avoidance and evasion can be policed and the availability of non taxed substitutes are important aspects that need to be considered. Both could seriously undermine the effectiveness of the tax and the revenues generated. The importance of adequate monitoring and enforcement can not be over emphasised and the effectiveness of any tax instrument will ultimately depend on it. Where taxes are implemented on products, the international context becomes important and consideration must be given to cross-boarder shopping, comparable taxes and tax rates in neighbouring countries.

Collection costs

Implementing a new tax can be expensive and the risks of evasion and avoidance can impact adversely on collection costs. In order to minimize set-up costs, evasion and other aspects of non-compliance, *taxation at source* is desirable since this approach usually minimises the number of statutory taxpayers, which in turn minimises costs and leakages. However, this may not always correspond to targeting the environmental externality in the most direct way possible. In terms of revenue yield, the ratio of revenue collected to the costs incurred in collecting that revenue might be an important consideration.

Collection costs will also be influenced by the entity responsible for collecting the tax. The costs associated with a new tax instrument are likely to be greatly reduced if economies of scale and the existing administration systems are exploited to the fullest extent possible.

Compliance costs

Collecting taxes does not only impose costs on tax administrators. The compliance costs for taxpayers might be substantial, particularly as emphasis moves towards self-assessment. As a rule, compliance costs need to be kept to a minimum, particularly for small and medium size enterprises.

Competitiveness effects

Assessing competitiveness impacts

The impact on the competitiveness of local industries is of critical importance when assessing tax instruments and is likely to vary greatly according to the tax base and the tax rate. It should be noted that any measure seeking to influence behaviour, be it regulation or taxation, will have knock on economic effects. This is indeed the intention of all such policy interventions. Understanding the nature and extent of these effects and who will ultimately bear the burden is important in order to minimize any adverse competitiveness impacts.

The formal incidence of a tax (i.e. the point at which the tax is legally assessed) is different from the effective incidence (i.e. where the economic burden of the tax actually falls). Depending on the point of formal incidence, a tax may be passed forward to consumers of goods or services or alternatively backwards along the supply chain to producers, providers of labour, capital and / or natural resources.

Issues around competitiveness are most likely to arise when environmentally-related taxes are imposed on products or key factors of production that are traded in international markets. Substitution possibilities are also important in the sense that if there is limited scope for the adoption of cleaner technologies and processes, then there is reduced ability to substitute away from the tax. Economic modelling would be required to analyse the impact on competitiveness to the greatest extent possible.

For industries competing primarily in the domestic market, there exists scope to pass on the tax burden in the form of higher prices. The extent to which this can be done will depend largely on the price elasticity of demand for the affected good or service and the degree of competition from imports. Different domestic firms or industries are likely to be impacted on in different ways and competition between them could be (adversely) affected. Second order impacts on investment, employment, inflation and other key variables need to be considered.

For those industries that are exposed to international competition, the ability to pass on the tax in the form of higher prices may be restricted even further since local firms are unlikely to have significant influence over price levels. Where environmentally-related taxes would potentially have significant negative impacts on the competitiveness of local industries, certain mitigating measures may be required. Such measures can include:

- Reduced tax rates, tax ceilings or in extreme cases complete exemptions;
- Tax refunds;
- Recycling revenues;
- Gradual implementation and phase in of a tax instrument;
- Boarder tax adjustments; and
- Tax harmonisation.

The way in which tax revenues are used is also very relevant. If environmentally-related taxes are implemented as part of a tax shifting exercise, revenues can be recycled back to industry in the form of lower payroll taxes for example. Whilst the actual impact would vary from firm to firm, the overall impacts on competitiveness could be greatly reduced through such an approach.

Distributional impacts

Income distribution effects

The way in which environmentally-related taxes impact on different income groups is of utmost importance. Any tax instrument should ideally embrace vertical and horizontal equity considerations. The extent to which an environmentally related tax may be regressive depends in part upon the tax base and how the tax is designed. There exists scope in some cases to design a tax so that it is progressive whilst preserving the environmental incentive. In other cases, particularly with certain product taxes, this will be more difficult.

For every environmentally-related tax instrument, the effective tax burden on different income groups and the anticipated distribution of environmental benefits needs to be assessed. Where an environmentally-related tax instrument has unacceptable distributional effects, mitigation and compensation measures should be considered. Mitigation measures seek to reduce the overall burden of a tax on specific income groups. In some cases, it might be difficult to build such relief measures into the design of the tax or to effectively target and administer such measures. Alternatively, compensation measures could be considered. These are *ex post* measures that seek to compensate special groups through alternative means such as tax refunds or income supporting measures.

Adjoining policy areas

Alignment with environmental measures

The extent to which environmentally-related taxes can assist in meeting other policy objectives is an important consideration. With respect to environmental goals, it is important that the tax is aligned with complementary measures such as regulation or voluntary agreements and that where a range of measures are introduced to achieve an environmental objective, they are mutually supportive of one another. Where there may be potential trade-offs, these need to be identified and adequately addressed.

Alignment with other social and economic objectives

The extent to which environmentally-related taxes can contribute towards achieving other social and economic objectives is also important. Job creation, poverty alleviation and the expansion of basic services such as electricity, water and sanitation are some of the major challenges facing many developing countries. Where practically possible, environmentally-related tax measures should assist in meeting these goals.

Other regulatory measures

Government can also introduce a range of regulatory measures to address the negative environmental externalities and encourage the proper use and disposal of chemicals. These include:

- Environmental regulations such as product standards and bans of certain chemical substances, such as substances that are classified as toxic and included in a country's toxic chemical register.
- Information disclosure programmes such as ranking/rating of companies, labelling and certification schemes that classify companies according to their environmental performance.
- Voluntary agreements – voluntary industry initiatives where the chemicals industry may enter into formal agreements with government to, for example manage the use of certain chemicals or agree to reduce the chemicals industry emissions of certain pollutants.

SAICM is concerned mainly with preventing or minimizing future environmental externalities that may result if chemicals are not managed appropriately now and the risks and hazards of certain chemicals are not properly understood. However, such an initiative is crucial for responsible chemicals management in the future.

Developing economies and economies in transition are particularly of concern, largely due to the lack of adequate chemicals regulations and the capacity to monitor and enforce such regulations effectively.

Essentially, a proper regulatory framework should be established before consideration is given to imposition of additional tax measures at a national level. As a complementary measure market based (economic) instruments such as taxes can be implemented at the national level to achieve the objective of chemicals management and address some of the negative externalities associated with chemicals that are already in use or exist in stockpiles. However, these measures are likely to differ considerably depending on the type of chemical product under deliberation.

Deal with after framework is agreed.

SOME PRINCIPLES FOR A SOUND REGULATORY REGIME FOR CHEMICALS MANAGEMENT

As emphasized above introduction of an environmentally related tax to support chemical safety objectives, a sound regulatory regime is required.

The following principles should be considered in developing a regulatory regime which will achieve the objectives of SAICM.

PRINCIPLE 1: The system should provide a sound national policy framework for chemical industry's operations in the market and aimed at improving public confidence in chemicals.

Supporting, promoting and making use of the innovative potential of the chemical industry within market conditions for the benefit of the society.

Providing legal certainty (security) to chemical industry's business and trade and rationalizing the legislative framework, in particular avoiding duplications.

Fostering cost – benefit proportionality in regulatory approaches and measures and avoiding excessive bureaucracy and costs.

Promoting international consistency in regulatory approaches and avoid any non-tariff barriers in international trade.

PRINCIPLE 2: A chemical regulatory system must be based on risk, not hazard.

Decisions must be based on an objective scientific evaluation of risk.

Chemicals should be managed so that they do not present an unreasonable risk.

Risk management measures should protect all segments of the population and the environment.

Risk assessment decisions should be made in a timely fashion.

Benefit/cost analysis should have a key role in risk management decisions.

PRINCIPLE 3: Chemicals should be screened to determine further information needs applying a tiered, risk-based approach.

The system should provide a basis for quickly and efficiently screening chemicals to evaluate the need for further hazard or exposure information to prioritize regulatory action, reduce uncertainty and improve the reliability of risk characterizations.

Decisions on whether chemicals need further evaluation or additional information gathering/generation must be based on a set of defined criteria that are based on a firm scientific foundation.

There should be a clear communication of the results (rankings, priorities, and uncertainties) associated with chemical screening categorizations.

PRINCIPLE 4: The system should leverage existing, available information.

All valid information should be used (including data from producers and users) in chemical management decisions in a weight of evidence approach.

There should be a systematic gathering of available hazard and exposure information to be used in chemical management decisions, including information gathered on similar chemicals through validated computer modelling and/or QSAR (quantitative structure activity relationship) approaches and validated non-animal test methods.

The use of laboratory animals in testing should be minimized wherever possible by assuring maximum use of existing information.

PRINCIPLE 5: The system should reinforce the responsibilities of each party throughout the value chain for compliance with regulations as well as commitments to responsible action.

There should be a transparent flow of information between businesses along the chain of commerce, so that producers and users can evaluate and manage risks, and provide meaningful and relevant information to their respective stakeholders.

The system should promote cooperation among producers, distributors and users of chemicals to assure that data and information necessary in chemical risk characterization is developed, shared, and applied.

The system should provide a basis that encourages producers, distributors and users to take voluntary measures that further promote the safe use of chemical products.

If parties within the value chain identify a practice involving a chemical product that presents an unreasonable risk to human health or the environment, parties will work with others in the value chain, as appropriate to reduce risk. If, in the parties' independent judgments, those efforts are unsuccessful, then the parties should take further measures – up to and including termination of product sale or use of the chemical product associated with the practice of concern..

PRINCIPLE 6: The system should promote data quality and transparency and allow access to useful information to interested parties including the general public; it should guarantee a fair balance between public access to data and legitimate protection of business information.

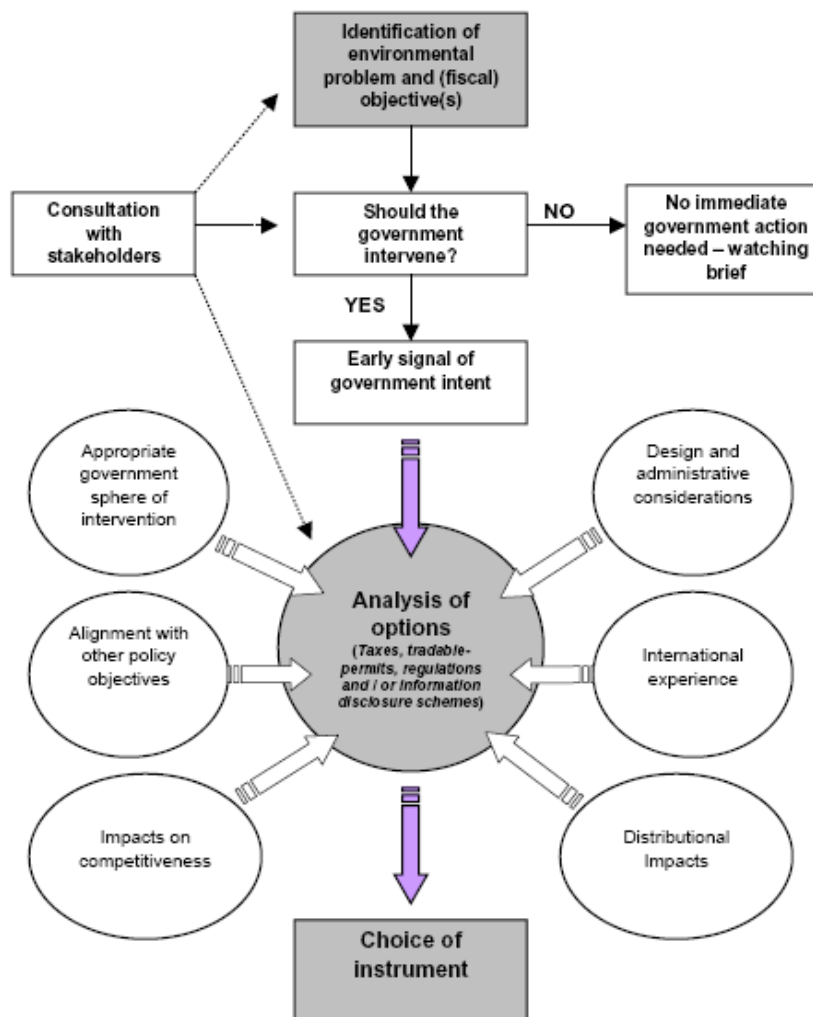
Risk characterization and risk management information shall be made publicly available.

Health and safety information related to humans and the environment should not be considered confidential.

The system should afford appropriate protection to confidential business information.

The system should develop and support means to share information with other governments, while protecting legitimate business interests in proprietary information.

Figure 1: A process for considering the application of market-based instruments



Annex VII

Policy paper developed by the SAICM African Core Group for African representatives on the GEF Council on the establishment of a chemicals management focal area in the GEF.

The second African regional meeting on SAICM held in Dar es Salaam on 16 and 17 July 2008 referred the policy paper to the first meeting of the SAICM OELWTG, to be held in Rome from 21 to 24 October 2008, as a contribution by the African region to discussion on SAICM financial arrangements.

The document has not been formally edited and is presented as received from the African Core Group, in English only.

Introduction

1. Chemicals are part of the fabric of modern life across most sectors of society. Chemicals play an important role in the production of food, purification of water, curing ailments, and in the manufacture of clothing, communications tools, transport, and homes. As such, sound chemicals management is a key element of sustainable development. In 1998, the chemical industry accounted for an estimated 7% of global income, 9% of international trade and an estimated US \$1.5 trillion in sales. In 2003, world exports of chemicals accounted for nearly 15% of global trade in manufactured goods. Developing nations are playing an increasingly important role in chemicals production, consumption and global trade. Chemical consumption is anticipated to grow much faster in developing nations and could account for a third of global consumption by 2020 (OECD Environmental Outlook, 2001).
2. Along with their widespread benefits, some chemicals pose risks to human health and to ecosystem integrity. Detrimental health effects may include cancer, reproductive failure and disorders, birth defects, nervous system disorders, impaired immune systems, and lowered IQ. Environmental effects may include morbidity and infertility of populations in the wild and increased susceptibility to other environmental stressors. The health and environmental risks of chemicals are more pronounced in developing countries where the chemicals management regime is inadequate or completely lacking.
3. The incidence of pesticide poisoning is significant in developing countries, including accidental exposure in children, occupational exposure of young farm workers, and exposure resulting from un-used, obsolete pesticides. For some pesticides, even chronic low levels of exposure might cause effects, such as impaired development of the nervous system, compromised immune system, or cancer. According to the International Labour Organization (ILO), 99 % of all fatal poisoning cases with agrochemicals occur in developing countries, although only about 20 % of the substances produced worldwide are used there. In many developing countries, child labour without any protection against health risks is a fact.
4. In response to the health and environmental threats posed by chemicals, nations have indicated their support for chemicals management globally, as expressed via various international agreements and regional agreements on chemicals. These include the Stockholm Convention, the Montreal Protocol, the Basel Convention, the Rotterdam Convention, ILO chemical conventions pertaining to worker safety, the Johannesburg Plan of Action, the Strategic Approach to International Chemicals Management (SAICM) and a variety of marine conventions which focus on protection of the environment from toxic and hazardous wastes.
5. There is broad acknowledgement that the need for improved chemicals management is most acute in developing countries, many of which have very weak technical and institutional capacities for chemicals management regimes. Application of managerial best practices to chemicals throughout their life-cycle, and substitution of the most problematic chemicals; including in the context of existing GEF interventions in the focal areas, can minimize the potential for exposure of people and the environment to toxic and hazardous chemicals.
6. The extent of the need for improved chemicals management requires far more financial resources than what is available under the current GEF focal areas. To illustrate the problem, the amount of money allocated under GEF IV can be compared with what is considered to be required to achieve the 2020 goal.

Support for Sound Chemicals Management in the Current GEF Focal Areas

7. GEF-4 supports improved environmental management of chemicals as a cross-cutting issue, because chemicals are spread globally through international trade and through emissions to the atmosphere and the oceans, and because chemicals may aggravate global environmental concerns, such as biodiversity, land degradation, climate change and freshwater scarcity. The following are the benefits accrued from this integration:

- a) Capacity built in other focal areas could be used to manage chemicals, which are not necessarily covered by the GEF focal area.
- b) Under the *Biodiversity* focal area, agro-forestry projects addressing mainstreaming of biodiversity are concerned with reducing the inputs of chemicals into the systems that they seek to protect. For example, projects dealing with shade-grown coffee or cocoa promote Integrated Pest Management (IPM) and forbid the use of prohibited chemicals. Agro-forestry practices also reduce the need for synthetic fertilisers. Forest certification schemes typically prohibit the use of the most toxic, persistent and bio-accumulative chemicals. Similarly, principles of ecotourism include reducing the use of synthetic fertilisers and detergents. Other sectors potentially targeted by Biodiversity such as oil, mining, and gas, are sectors with important chemicals management considerations which should be taken into account by the GEF Agencies in the course of project preparation and appraisal (e.g. promoting best practices for tailing dams and waste facilities in the mining sector).
- c) Under the *Climate Change* focal area there are incidental benefits which stem from significant reduction in mercury, SO₂, NO_x, polycyclic aromatic hydrocarbons, etc, a number of energy efficiency interventions address sectors that potentially release relatively large amounts of chemicals in the environment. For example, steel, chemicals manufacturing, cement, pulp and paper, and textiles. Increased energy efficiency in these sectors and implementation of a cleaner production approach leads to reducing inputs including water, and reducing releases of toxic chemicals in effluents.
- d) The *adaptation to climate change* focal area addresses issues, which are relevant to chemicals management. An example of a possible intervention to adapt to climatic changes is the need to control 'new' pests, including vectors for diseases (e.g. malaria), due to the extension of the habitats of these pests. Or, flood control management to protect a particular coastal zone and affected community, where the risk of chemical spills would have to be addressed in developing contingency plans for natural disasters.
- e) The *International Waters* focal area, GEF projects target specific sites of generation, or sectors, such as pesticides misuse in tropical agriculture, toxic contaminants from mining, or industrial pollution discharges. Strategic Objective 3 "Innovative demonstrations addressing key program gaps" targets, amongst other things, persistent toxic substances, beyond the twelve POPs initially addressed by the Stockholm Convention. One particular substance highlighted is mercury.
- f) The *Land Degradation* focal area, GEF supported interventions target the agriculture sector where one of the recognised drivers for terrestrial ecosystem degradation is the mismanagement and overuse of fertilisers and pesticides for short-term economic gain.
- g) The *Persistent Organic Pollutants* and the *Ozone Depletion Substances* focal areas are basically supporting chemicals management, although restricted to specific subsets of chemicals.

8. However, with all good intentions mentioned above, the available resources are inadequate to make an effective integration.

Weaknesses and gaps in the current GEF focal areas

9. The following weaknesses and gaps may be observed in the current GEF focal areas:

- a) With more than 100,000 chemicals traded on the global market, which are potentially spread in the global environment, there is an immense gap in the knowledge on the emissions, fate, effects and interactions of these chemicals, especially in developing countries.

- b) GEF can not specifically fund a project aimed at integrated chemicals management, although this is considered to be the best way to solve chemicals mismanagement, simply because there is no focal area for that.
- c) The funds under each focal area are not adequate to handle the broader chemicals management issues.
10. During regional SAICM negotiations the following were identified as major needs for a successful SAICM implementation:
- (a) The need for significant financial commitments to achieve the World Summit on Sustainable Development 2020 goal;
- (b) The need for integration (mainstreaming) of sound management of chemicals/SAICM objectives in national policy frameworks;
- (c) The need for international financial mechanisms for SAICM (with specific mention made of the Global Environment Facility);
- (d) The need to reflect that government financing alone will never be enough and that the private sector must make significant financial commitments, e.g., via cost internalization, including a global mechanism (although as noted above, the examination of this option is outside the scope of this study); and
- (e) The need for all governments to make financial commitments to SAICM implementation at the national level
11. This is demonstrated by the widening gap in chemicals management as acknowledged in the SAICM Overarching Policy Strategy: *“There are inadequate resources available to address chemical safety issues in many countries, particularly to bridge the widening gap between developed countries on the one hand and developing countries and countries with economies in transition on the other.”*[Paragraph 5 (f)]
12. Paragraph 12 of the Strategy notes that *“One of the challenges that will be faced by many countries, in particular developing countries and countries with economies in transition, in pursuing the goal articulated in paragraph 23 of the Johannesburg Plan of Implementation is to obtain access to the considerable financial and other resources needed to achieve the sound management of chemicals.”*
13. Part V of the Strategy specifically addresses financial considerations for the implementation of SAICM. Paragraph 19 states that *“...The extent to which developing countries, least developed countries, small-island developing States and countries with economies in transition can make progress towards reaching the 2020 goal depends, in part, on the availability of financial resources provided by the private sector, bilateral, multilateral and global agencies or donors. ...”*.
14. Included among the financial arrangements set out in paragraph 19 of the Strategy is: *“Making more effective use of and building upon existing sources of relevant global funding, including by inviting the Global Environment Facility and the Montreal Protocol and its Multilateral Fund within their mandates to consider whether and how they might support implementation of appropriate and relevant Strategic Approach objectives and to report”*.
15. Another arrangement contained in paragraph 19 of the Strategy is *“supporting initial capacity-building activities for the implementation of Strategic Approach objectives by establishing a Quick Start Programme. The Programme will contain a voluntary, time-limited trust fund and may include multilateral, bilateral and other forms of cooperation”*
16. Unfortunately since its establishment the QSP Trust Fund has managed to collect approximately six million USD. This does not provide a comfortable assurance of the availability of enough funds to implement SAICM.
17. There are significant gaps in capacity for sound management of chemicals globally at all levels, and in developing nations and countries with economies in transition (CEITs) in particular. The urgency for building capacity for sound chemicals management globally and among nations is exacerbated by global

growth in the chemicals industry, as well as changes in global patterns of chemicals production, trade and consumption, including increased production by the more industrialized developing nations of high volume chemicals and increased consumption of chemicals by developing nations.

18. Currently, prevalent gaps in financing include the following:
- (a) International agreements and decisions encompassed by sound chemicals management have limited access to funding from multilateral and bilateral funding sources;
 - (b) Multilateral financial mechanisms with chemicals-related mandates address only partially the broader governance issues linked to sound chemicals management;
 - (c) Existing multilateral financial mechanisms with chemicals-related mandates are restricted to provision of support for work on a relatively limited, although important, number of chemicals (although there are efforts to address sound chemicals management as a cross cutting issue under the current GEF focal areas; and
 - (d) Integration or “mainstreaming” of chemical safety issues in multilateral and bilateral development assistance programming has seen slow progress with certain key exceptions (and this is expected to continue due to the inadequacy of resources).
19. Taking the above into consideration it is proposed that GEF establishes a Focal Area for Sound Chemicals Management

Goal

20. The overall objective in supporting Sound Chemicals Management Focal Area is to contribute to the implementation of Agenda 21 and the WSSD Johannesburg Plan of Implementation, through activities promoting the sound management of chemicals, in order to protect human health and the environment.

Evolution of priorities leading to a GEF focal area

21. In response to the health and environment risks posed by the unsafe use of chemicals, the sound management of chemicals has been addressed as highly important to sustainable development in numerous international agreements, conventions and documents and agreements.

22. The GEF Instrument (Article 1, Paragraph 3, as amended in 2004) provides that “the agreed incremental costs of activities to achieve global environmental benefits concerning chemicals management as they relate to the [six] GEF focal areas shall be eligible for funding”. As such in principle GEF is almost ready to serve as a financial mechanism if the parties decide so.

International support for a new GEF focal area for sound chemicals management

Rotterdam Convention, October 2006

23. Decision RC-3/5 from the third meeting of the Conference of the Parties to the Rotterdam Convention contains specific reference to a new chemicals-related focal area in the GEF.⁶ In paragraph 10 the decision “Invites Parties, for the longer term, to consider the need for the Global Environment Facility to broaden its programming activities, including the possibility of a chemicals-related focal area, with a view to targeted and sustainable funding of priority needs within recipient countries for the implementation of those objectives of the Convention that relate to the incremental costs of achieving global environmental benefits.”

Basel Convention, November 2006

24. The eighth meeting of the Conference of the Parties to the Basel Convention discussed resource mobilization and sustainable financing.⁷ In paragraph 100 the meeting report notes that, “A number of representatives welcomed the diversity of options presented in the documents and said that a range of

⁶ <http://www.pic.int/cops/reports/z35/English/K0653538%20COP-3-26%20Final%20PIC%20Report.pdf>

⁷ <http://www.basel.int/meetings/cop/cop8/docs/16e.pdf>

mechanisms should be utilized in the implementation of the Basel Convention. Representatives from both developed and developing countries said that GEF was a good possible source of long-term sustainable financing, suggesting that the new GEF policy on chemicals management would improve the possibility of obtaining financing for Basel Convention activities and that GEF should be invited to provide more information to the Conference.”

African regional meeting on SAICM, September 2006

25. The SAICM regional meeting for the African region discussed financial considerations surrounding SAICM implementation in the region.⁸ In Annex VII on Financial Considerations, delegates called for, “The Global Environment Facility (GEF) to establish a new focal area for sound chemicals management based on new and additional resources at the next meeting of the GEF Assembly.” The delegates also advocated support for the new focal area from the African Ministerial Conference on the Environment and for GEF Council members representing African country constituencies to effectively present the proposal for a new chemicals management focal area to the GEF Council.

EU-JUSSCANNZ meeting on SAICM, November 2006

26. The SAICM meeting for the EU-JUSSCANNZ region discussed financial considerations at its meeting in Barcelona.⁹ In the discussion, “...several participants stressed the importance of the recent decision of the Conference of the Parties of the Rotterdam Convention on financial mechanisms which referred to SAICM and invited Parties to consider of the need for GEF to broaden its programming activities, including the possibility of a chemicals-related focus area... Some participants were of the view that a new window for sound chemicals management should be established in the GEF to support, amongst other things, SAICM implementation, and that this proposal should be part of discussion of GEF’s fifth replenishment.”

Central and Eastern European regional meeting on SAICM, December 2006

27. Delegates from the Central and Eastern Europe (CEE) region discussed financial arrangements at their meeting in Riga in December 2006.¹⁰ Paragraph 81 of the meeting report notes that, “The meeting expressed support for the African regional view on future utilization of GEF to support SAICM implementation and for the objective of mainstreaming chemicals management in development planning.” In Annex III, Decision on financial support and technical cooperation to facilitate SAICM implementation, paragraph 2, the CEE countries called for “...the establishment at the next meeting of the Assembly of the Global Environment Facility (GEF) of a new focal area for sound chemicals management in GEF, based on new and additional resources, and for GEF Council members representing Central and Eastern European country constituencies to present effectively to the GEF Council the proposal for a new chemicals management focal area.”

Strategic Objectives

28. GEF’s overall objective over the proposed GEF focal area on sound chemicals management would be to promote sound chemicals management.

- a) GEF focal area interventions to support the general capacity of recipient countries for sound chemicals management.
- b) GEF focal area interventions to support the implementation of SAICM
- c) GEF focal area intervention to support activities geared towards integrated sound chemicals management

8

http://www.chem.unep.ch/saicm/meeting/afreg/cairo_06/meeting_docs/6%20Africa%20meeting%20final%20report.pdf

9 http://www.chem.unep.ch/saicm/meeting/EU_Jusscannz/nov_06/meeting_docs/SAICM%20EU-JUSSCANNZ%20meeting%20report%20Dec%202006.pdf

10

http://www.chem.unep.ch/saicm/meeting/cee/dec_06/documents/CEE%203%20meeting%20report%20dec%202006.pdf

29. *Indicators:* Indicators will be tracked to measure the success of the implementation of this strategy under the GEF Focal Area:

- a) Number of projects under SAICM implementation
- b) Number of projects addressing mainstreaming sound chemicals management in development agenda.

30. *Scope:* The capacity development interventions will be nested within a country's framework for the sound management of chemicals, and those countries that lag the farthest behind will also be assisted to establish basic foundational capacities for the sound management of chemicals.

Annex VIII

African regional nominations of emerging issues for consideration by the ICCM at its second session, adopted at the second African regional meeting on SAICM, Dar es Salaam, 16-17 July 2008

1. SAICM addresses emerging issues in chemicals management under the risk reduction and knowledge and information objectives set out in the Overarching Policy Strategy. Specific objectives include to ensure that existing, new and emerging issues of global concern are sufficiently addressed by means of appropriate mechanisms; to accelerate the pace of scientific research on identifying and assessing the risks of chemicals on human beings and the environment, including emerging issues and to ensure that research and development are undertaken in relation to chemical control technologies, development of safer chemicals and cleaner technologies, and non- chemical alternatives and technologies.

2. Participants in the second African regional meeting on SAICM hereby request the ICCM to consider and take action on the following emerging issues of concern in the African region;

(a) Biofuels

(i) Historically the agricultural sector in Africa has been characterized largely by small- and medium-scale farming. The shift to large scale cultivation of crops for biofuels will result in an increased intensity and higher volumes of pesticide use. This may lead to unacceptable risks to human health and the environment, changes in ecosystems and thereby increased poverty and food shortages.

(ii) The African region requests the second session of the ICCM to call upon UNEP in collaboration with FAO, through the SAICM QSP and other initiatives to support the implementation of the FAO Code of Conduct on the Distribution and Use of Pesticides.

(iii) The African region calls upon UNEP in collaboration with FAO, through the SAICM QSP, to support interventions which would align sound chemicals management with sustainable poverty reduction and food security strategies.

(iv) The African region calls upon UNEP in collaboration with WHO, through the SAICM QSP, to support programmes which will generate data on the environmental and health impacts of biofuels.

(v) The African region calls upon UNEP, through the SAICM QSP, to support development of national guidelines and other tools to promote sustainable agricultural practices in the cultivation of crops for biofuels.

(b) Electronic waste

(i) Electronic wastes imported into developing countries which lack the capacity for the environmentally sound management of wastes have resulted in the release of toxic chemicals such as heavy metals and brominated flame retardants into the environment thereby threatening human health in the region.

(ii) The African region requests the second session of the ICCM to prioritize the following activities to address this challenge:

- Promote extended producer responsibility by manufacturers;
- Assist African Governments to develop strategies for the environmentally sound management of electronic waste, and the illegal trade of electronic waste and near-end-of-life electronic goods.
- Assist African Governments to establish appropriate legislation to control the illegal traffic of electronic waste;

(c) Climate change

(i) The emerging evidence of climate change and its impact on weather and agricultural patterns, diseases and pest occurrences, and the frequency and pattern of natural disasters clearly show the link between climate change and management of chemicals due to the potential increase in chemicals use and changes in chemicals management practices.

(ii) Africa lacks the capacity to respond rapidly to the destruction of the normal chemicals management regime under such circumstances.

(iii) The African region requests the second session of the ICCM to assist African Governments to develop appropriate emergency response systems to mitigate the adverse effects of chemicals under disaster conditions and to build the capacity to respond to chemical emergency incidents.

(d) Waste containing heavy metals

(i) Although the Global Plan of Action contains a number of references to waste minimization and life-cycle management, dry cell batteries, particularly from some sources, contain a range of heavy metals at high concentrations. The current practice of open air burning of these batteries with solid household waste in landfills poses a significant health and environmental risk.

(ii) The African region requests the second session of the ICCM to assist African Governments to develop

- Appropriate legislation to limit importation and to ensure environmentally sound management of waste containing heavy metals, especially dry cell battery wastes;
- Appropriate awareness raising and capacity building programs.

Annex IX

Activities that should be prioritized by the ICCM in the SAICM Global Plan of Action: proposal by the African region adopted at the second African regional meeting on SAICM, Dar es Salaam, 16-17 July 2008

1. SAICM includes a Global Plan of Action that should be regarded as a guidance document to be reviewed as appropriate, and the activities should be implemented, as appropriate, by stakeholders during the implementation of SAICM, according to their applicability. The African region has identified some specific activities which it believes should be prioritized in the Global Plan of Action by the ICCM at its second session.
2. Participants in the second African regional meeting on the Strategic Approach hereby request the ICCM to consider the prioritization of the following issues of concern in the Global Plan of Action.
 - (a) Pesticide management
 - (i) The Global Plan of Action includes three work areas dealing with pesticides. The increased cultivation of crops for biofuels is likely to result in shift in the type and quantity of pesticides used.
 - (ii) In order to respond in a timely way to this challenge the African region requests the ICCM to prioritize activities in the Global Plan of Action which would reduce the risk to human health and the environment in this rapidly expanding sector.
 - (b) Electronic waste
 - (i) Although the Global Plan of Action contains a number of references to waste minimization and lifecycle management, the electronic equipment waste stream presents significant waste management challenges due to its heavy metal and toxic organic chemical content. The African region lacks the capacity to deal with the environmentally sound management of the increasingly large volumes of this waste being exported to African countries from various regions of the world.
 - (ii) The African region requests the ICCM to prioritize the following activities to address this challenge:
 - Promote extended producer responsibility by manufacturers;
 - Assist African governments to establish appropriate legislation to control export and import of electronic waste;
 - Assist African governments to develop strategies for the environmentally sound management of electronic waste.
 - (c) Emergency response management
 - (i) There is an increased risk of national disasters in Africa as a result of climate change. Africa lacks the capacity to respond rapidly to the destruction of the normal chemical management regime under such circumstances.
 - (ii) The African region requests the ICCM to support assistance to African Governments to develop appropriate emergency response systems to mitigate the adverse effects of chemicals under disaster conditions and to build the capacity to respond to chemical emergency incidents resulting from illegal traffic.
 - (d) Waste containing heavy metals

- (i) Although the Global Plan of Action contains a number of references to waste minimization and lifecycle management, dry cell batteries, particularly from some sources, contain a range of heavy metals at high concentrations. The current open air burning of these batteries in landfills poses a significant health and environmental risk.
- (ii) The African region requests the ICCM to assist African Governments to develop:
- Appropriate legislation to limit importation and to ensure environmentally sound management of dry cell battery wastes;
 - Appropriate awareness raising and capacity building programmes.

Annex X

African regional proposal for guidelines for SAICM national focal points, adopted at the second African regional meeting on SAICM, Dar es Salaam, 16-17 July 2008

1. These guidelines are being proposed for consideration by the ICCM at its second session. They have been prepared in the light of experience within the African region with respect to implementation challenges faced by the official SAICM national focal points and the technical officers involved in the day-to-day implementation of SAICM at various levels. The proposed guidelines are set out below.
2. The responsible Ministry should:
 - (a) Establish a national desk for the SAICM with the provision of an annual budgetary allocation.
 - (b) Act as an effective conduit for communications on SAICM at the national and regional levels, and ensure synergies with the focal points of chemicals and wastes-related multilateral environment agreements.
 - (c) Establish an inter-ministerial and inter-institutional committee for implementation of SAICM, including representatives of non-governmental organizations.
 - (d) Facilitate SAICM implementation efforts at the national and local levels.
 - (e) Solicit and organize input from sectors and actors relevant to SAICM.
 - (f) Establish communication with subregional and regional focal points to facilitate coordination and cooperation in implementation of SAICM.
 - (g) Support the development of regional positions for presentation at sessions of the ICCM.
 - (h) Facilitate the submission of progress reports to the regional focal point and the ICCM on implementation of SAICM.

Annex XI

Statement on SAICM by public interest non-governmental and civil society organizations adopted in Dar es Salaam on 14 July 2008

The statement was adopted on 14 July 2008 by representatives of public interest non-governmental and civil society organizations who work on chemical safety issues and concerns in African countries. It has been endorsed by 24 non-governmental and civil society organizations from 11 countries in Africa. The statement is reproduced below as received by the secretariat and has not been formally edited.

“As representatives of civil society organizations who work to protect the health of farmers, workers, impacted communities and the general public from harms caused by exposure to toxic chemicals, and work also to protect the environment, we are committed to collaborate with our governments and other stakeholders to ensure the effective implementation of the SAICM and achieve a toxics free future. This will include raising public awareness about the effects of chemicals and identifying priority needs for action in implementing SAICM and relevant chemical conventions.

1. SAICM is especially important for Africa

SAICM is extremely important for Africa because of the growing harms that chemicals cause to public health and the environment and the links between chemical safety as well as poverty reduction and sustainable development.

The use of chemicals in Africa is rapidly increasing, but many of our governments lack the technical, financial and institutional capacity to ensure that chemicals are properly managed and controlled so that they do not cause harm to human health and ecosystems. This is why African NGOs and African governments played such a key role in the development of SAICM, and this is why we consider it to be so important that SAICM succeeds.

2. Implementation begins slowly

Two and a half years have now elapsed since the SAICM was adopted but the process of implementation has been very slow in most countries.

To reach the SAICM 2020 goal, countries need to quicken the pace. One of the reasons given is the lack of funds to implement SAICM. This is also given as a reason for delays in implementing other chemical management initiatives. It is an important reason, but it is not the only reason. The main problem is that many countries do not yet have clear national implementation plans. SAICM is an important policy framework to developing countries and countries with economies in transition because many do not yet have clear guiding policies and regulations for chemicals management and still need to strengthen their national legal frameworks; enhance their capabilities for monitoring and enforcement; and further develop multi-stakeholder engagement and capacity. At the first SAICM regional meeting in Abuja, Nigeria in May 2004, African governments committed to promoting priority activities to put in place "appropriate... policy, legal and administrative arrangements" for chemicals management based on these principles, specifically noting "life cycle management" and legal approaches based on the "principles of precaution, polluter pays, and the right-to-know." It is now time to establish the means to realize this commitment without more delay if we are to achieve the SAICM 2020 goal.

3. Financial and technical assistance

SAICM needs sustainable long-term financial support with new and additional funds and this must be established at the Second International Conference on Chemicals Management (ICCM2).

The extent to which African countries can make progress towards reaching the 2020 goal depends, in part, on the availability of financial resources provided by the private sector and bilateral, multilateral and global agencies or donors. The Dubai ICCM established a Quick Start Program (QSP) with a time-limited trust fund for initial capacity-building activities associated with SAICM implementation. The trust fund will expire by the time of ICCM3 or soon thereafter. A more robust and longer-term approach to the mobilization of

adequate financial and technical resources will be required to enable African countries to nationally achieve the SAICM 2020 goal. We support the commitment of substantial new and additional funds for SAICM implementation including the establishment of a new Global Environment Facility (GEF) focal area for sound chemicals management with new resources at least equivalent to what has been mobilized to support Stockholm Convention implementation. The ICCM also agreed that new sources of financial support require that Governments of developing countries and countries with economies in transition mainstream sound management of chemicals in their national development plans for assistance. This will require the cooperation of donor countries. We also believe that African Governments should consider economic instruments intended to internalize the external costs of managing chemicals.

We expect African bodies such as the African Development Bank, sub-regional development banks and the proposed African Environment Fund to play an important role in financing SAICM implementation in Africa. The African Union (AU), the New Partnership for African Development (NEPAD) and all sub-regional development and economic bodies are also requested to give priority in developing guidelines and policies for funding and implementing SAICM in the region, including a monitoring and reporting mechanism. Technical assistance and environmentally sound technology transfer is also needed for successful SAICM implementation. This includes among others:

- assistance for African customs authorities to better control illegal traffic,
- more efficient laboratories,
- access to relevant scientific information,
- chemical information exchange facilities;
- good chemical labelling and classification practices;
- better enforcement of laws and regulations that address chemical management;
- skills and expertise necessary for chemicals assessments;
- access to Best Available Techniques (BAT) and Best Environmental Practices (BEP); and
- access to Good Agricultural Practices (GAP).

4. NGO/CSO participation

Public interest NGOs/CSOs are a vital resource for SAICM implementation and should be included and supported.

While many NGOs/CSOs participated in the SAICM development process, opportunities to engage in implementation activities in their respective countries have been lacking. In some countries, NGOs/CSOs have been invited to collaborate, but often the process did not take off or the NGOs/CSOs were not given needed information.

The importance of supporting public interest NGO/CSO participation has been noted in Decision 5 from the 12th Session of the African Ministerial Conference on the Environment (AMCEN) in June 2008 which "invites donor countries, the GEF and other donors to support the work of national civil-society organizations in raising awareness of populations of the effects of chemicals". While NGOs have received funding for 6 of the 57 SAICM Quick Start Program (QSP) projects, we would like to see more NGO projects supported by the QSP. In addition, we are requesting countries to involve NGOs in the development and the implementation of their SAICM QSP projects and consider other sources of financial support. We also urge governments in the region to consider development of a regional agreement to foster public interest NGOs and CSOs participation.

African NGOs and CSOs already contribute to SAICM implementation by raising public awareness and by seeking reforms in national, state and provincial chemicals-related policies, laws and regulations. In many countries, NGOs/CSOs are engaged in bio-monitoring projects, sound management of wastes, children and occupational health, etc. NGOs will continue to advocate and inform African policy and decision-makers about the importance of SAICM implementation and to promote giving priority to chemical safety in the region. Ideally SAICM should support and strengthen public interest NGO efforts in better engagement and full participation in promoting chemical safety. NGOs/CSOs need more cooperation from governments, effective information-sharing with government and all stakeholders, as well as increased support for effective networking at local, national and international levels.

5. Institutional reform

Inter-ministerial cooperation needs to be accelerated and national chemicals regulatory policy needs to be strengthened.

In 2006, the African regional SAICM action plan called for coordinated national and sub-regional approaches, including "developing appropriate national regulatory framework to facilitate national implementation." Countries need to accelerate interministerial coordination and coherence in the development of overall national chemical safety programs. The end goal is to enable governments to establish not only the necessary laws and regulations, but also the infrastructure, the monitoring capacity and the enforcement ability that they will need from central to local government level to advance their country toward SAICM's 2020 goal. Institutional Statement on SAICM frames for this development effort should be interrelated with the New Partnership for African Development (NEPAD) in the framework of the African Union (AU). Seven principles should be prioritized in national sound chemicals management regimes to achieve the SAICM 2020 goal. The seven principles are: **Precautionary principle¹¹**; **No data, no market¹²**; **Substitution principle**; **Right to know¹³**; **Rio Principle 13 (liability and compensation)**; **Rio Principle 14 (prevent transfer of harmful activities or substances)**; and **Rio Principle 16 (internalization of costs)**. The implementation of these seven principles should be embodied in legislation and regulations that place primary and initial responsibility for assuring chemical safety at the top of the supply chain, that is, with enterprises that manufacture or import chemicals and other potentially toxic products and substances. This approach will be more efficient for African countries and will create less regulatory burden than attempt to manage and regulate hazardous chemicals and materials further down the supply chain when they are already in the hands of large and dispersed groups of chemical users.

Governments need capacity development to make Africa more self-sufficient in its ability to:

- acquire, develop and maintain its own research and monitoring facilities;
- undertake effective training programs; and
- increase its own pool of knowledgeable national experts.

This will enable well-functioning poison control and treatment facilities and the development of comprehensive inventories of hazardous wastes and contaminated sites. African governments need to fully and quickly implement the Globally Harmonized System for Classification and Labelling of Chemicals (GHS), with the understanding that in many cases, this will provide necessary information regarding chemicals of concern and reduce risks and accidents associated with them.

6. Heavy metals

The import and use of lead in petrol, paint, and other consumer products must be eliminated. Mercury should be addressed through a global, legally-binding instrument that contains a financial mechanism and covers all human activities that release it.

Lead in petrol reduces the average intelligence and mental skills of our children, the future generation. African countries are among the last countries in the world to phase out lead in petrol. More countries in Africa are now reporting reduced or phased out lead from petrol. However, the monitoring system to track the petrol imported to countries is inadequate. We urge African countries to put in place monitoring systems as a matter of urgency and provide plans and strategies to completely phase out lead in petrol. In addition to petrol, there is uncontrolled importation and manufacturing of toys, paint, and other products that are believed to contain lead. These pose a serious threat to human health and to our children in particular.

Mercury is present in African countries through its use in consumer products, health care, and artisanal and small-scale gold mining among others. Mercury transforms into methyl mercury which bio-accumulates, travels long distances, passes through the placenta, and disrupts a developing child's brain functions. Methyl mercury is now present in fish and seafood at levels that cause significant harm. In addition to the direct

¹¹ SAICM Overarching Policy Strategy, para 14 (e)

¹² See SAICM Overarching Policy Strategy paragraph 15 (a)

¹³ SAICM Overarching Policy Strategy, para 15 (b) (I) and 15 (c)

¹⁴ See: <http://www.unece.org/env/pp/prtr.htm>

human toll, mercury exposure decreases a country's total productivity and adds an increased burden to national healthcare costs. We urge African countries to work for a global, legally-binding mercury control regime that contains a financial mechanism and addresses all human activities that release mercury into the Environment.

As part of SAICM implementation, countries should have control standards for products produced, exported and imported for lead, mercury, and other heavy metals of concern.

7. Africa Stockpiles Programme (ASP)

The ASP is behind schedule and needs funding, political commitment, and the inclusion of all stakeholders to succeed.

The ASP which was signed in 2005 is now being implemented. Seven countries are participating in the first phase of the programme, with more countries expected to join the programme within the next year. The progress of programme implementation has been slow and allocation of funds for NGO activities has met blockages. Delay in implementation has exacerbated the dangers posed by these stockpiles with cases of illegal burying and theft of stocks having been reported. We call upon all African governments to recognize the ASP as the continental programme for the prevention and disposal of obsolete pesticides. We reiterate that NGOs/CSOs should be engaged in all levels of decision making and implementation of the program as outlined in SAICM.

We call upon the GEF, World Bank, donor countries and others to help countries put in place mechanisms to address issues of life cycle management of pesticides, promotion of safer alternatives including non-chemical alternatives and the safe disposal of obsolete pesticide stocks and thereby contribute fully to the SAICM goal.

8. The Open-ended Legal and Technical Working Group (OELTWG)

The OELTWG should serve as a preparatory meeting for ICCM2 to enhance the potential for a successful meeting.

The meeting of the Open Ended Legal and Technical Working Group (OELTWG) in October 2008 is critical to preparing for ICCM2. The OELTWG should take on these preparatory topics at the meeting:

- SAICM rules: The rules of procedure governing the SAICM Preparatory Committee should be used for ICCM meetings.
- Interim SAICM president and bureau: The OELTWG should elect a three person Bureau which is asked to continue on and help plan ICCM2. This bureau plus the current Friends of the Secretariat should become the expanded bureau.
- Submitting proposals for consideration at ICCM2: Those who wish to propose positions and proposals to ICCM2 need to have agreed guidelines to follow. The OELTWG should formalise and agree on such a procedure.
- Evaluating SAICM implementation: The OELTWG should take up the topic of how ICCM2 will evaluate SAICM implementation and how it can take strategic decisions aimed at ensuring SAICM implementation will achieve its target in all countries.
- Financial and technical resources: This topic needs good preparation at the OELTWG in order to ensure the ICCM2 discussion is constructive. It is incumbent on ICCM2 to start planning for a longer-term and more substantial global financial mechanism to support sound chemicals management and the achievement of SAICM's overall objective.
- Emerging issues: A procedure for addressing emerging issues at ICCM2 should be decided by the OELTWG.
- IFCS: It would be helpful if the OELTWG could agree on the procedure by which the modalities of future contributions to SAICM implementation by IFCS will be addressed at ICCM2. We urge delegates to preserve the important role of IFCS in providing an open, transparent, and inclusive forum for discussing issues of common interest and also new and emerging issues.

9. Statement of concern for ICCM2

ICCM2 is a critical meeting for the success of SAICM. It needs to review progress against the SAICM 2020 goal and take strategic decisions to get the process back on track.

We were saddened by the conflicts that arose during the third meeting of the SAICM Preparatory Committee (PrepCom3) and ICCM1. In our view, these unfortunate conflicts were driven by the misgivings of just a handful of governments, and they emerged very late in the SAICM preparatory process. These conflicts resulted in the failure of SAICM PrepCom3 to secure substantive agreement on the core SAICM texts and changed the intended character of ICCM1. Because of the contention, rules governing the SAICM implementation regime were never adopted. No SAICM President or Bureau was elected. This now places the SAICM Secretariat in a very difficult position in preparing ICCM2 in that it has no authoritative body to turn to for guidance.

During the current planning process for the OELTWG and ICCM2, USA has tried to block progress and limit the OELTWG to discussing only rules of procedure and argued that discussions on financial assistance should not begin at the OELTWG. There is now a proposal to convert ICCM2 into a panel discussion, even though ICCM2 needs to take policy decisions. We are concerned that ICCM2 may utterly lack substance and may be unable to address matters of high importance to those who still believe in working to globally achieve the SAICM 2020 goal. This would signal that the world community is lacking in its commitment to work toward actually achieving global sound chemicals management.

ICCM2 needs to undertake a substantive review of progress against the SAICM 2020 target. It must take strategic decisions aimed at getting implementation on track to achieve this target. The meeting will need to solidify high-level national and international support for SAICM's objective across all relevant sectors and set the stage for the establishment of an adequate SAICM implementation regime. If there is no adequately prepared discussion at ICCM2 on reviewing progress against implementation, it would reinforce the notion that the SAICM overall objective is mere rhetoric, not a real objective to be used in evaluating progress and making course corrections as needed. With only eleven years following ICCM2 to achieve the SAICM objective, failure at ICCM2 to adequately evaluate progress and to take strategic decisions aimed at ensuring that implementation is on track would have the potential of dooming SAICM to failure in meeting its overall objective. The next opportunity after ICCM2 will be in 2012, only 8 years to target. We are hopeful that the opportunities lost in Dubai can be made up in Geneva at ICCM2."

Endorsement of the Dar es Salaam NGO/CSO Statement on SAICM - July 2008

S/N	Endorsing Organization	Name of Endorsing Officer	Country
1	PAN Africa	Henry Rene Diouf	Senegal
2	AGENDA	Silvani Mng'anya	Tanzania
3	DHIDR	Dr. Mohamed EI Banna	Egypt
4	PROBICOU	Robert B. Tumwesige	Uganda
5	TAEES	Deus D. Masige	Tanzania
6	NAPE	Geoffrey Kamese	Uganda
7	CREPD Cameroon	Samuel Tetsopgang	Cameroon
8	DION-PAN	Hemsing Hurrynag	Mauritius
9	ENVIROCARE	Anyambilile Mwakatole	Tanzania
10	iLima-Kenya	Rachel Kamande	Kenya
11	ANCE-Togo	Ebeh A. Kodjo	Togo
12	NASPIN	Leslie Adogame	Nigeria
13	UNETMAC	Ellady Muyambi	Uganda
14	TAPOHE	Yahya Msangi	Tanzania
15	IRTECO	Mwadhini Myanza	Tanzania
16	KADETFU	Yusto Muchuruza	Tanzania
17	EarthLife Africa	Mabule Zini Mokhine	South Africa
18	ZACA	Muyunda Iliionga	Zambia
19	groundWork	Euripides (Rico) Euripidou	South Africa
20	PSR Kenya	Dr. Paul Saoke	Kenya

21	ANCAP	Prof. Michael Kishmiba	Tanzania
22	IZWA-ELA e Thekwini	Muna Lakhani	South Africa
23	Injiya ya Uri	Itumeleng Mogatusi	South Africa
24	The GreenHouse Project	Lesawana Maleme	South Africa

Annex XII

Reduction of environment and health risks caused by hazardous chemicals and wastes: submission by participants in the second African regional meeting on SAICM held in Dar es Salaam from 16 to 17 July 2008, to the first Inter-Ministerial Conference on Health and Environment in Africa (Libreville, Gabon, 26-29 August 2008)

Objective

To provide assessment of the environment and health risks caused by hazardous chemicals and wastes in African countries and the mechanisms adopted for the reduction of such risks.

Background

Increasing global trade, production and use of chemicals in African countries is putting an increased burden on African countries to ensure the reduction of environmental and health risks caused by hazardous chemicals and waste.

There is an urgent need to assess the current situation to identify the scope of the problem in order for the health and environment departments to work together.

Methodology

1. Classifying hazardous chemicals and wastes in African countries in line with the Globally Harmonized System for Classification and Labelling of Chemicals.
2. Studying the effects emanating from hazardous chemicals and wastes.
3. Developing the strategies necessary for the environmentally sound management of hazardous chemicals and wastes and the reduction of their health-related risks.
4. Adopting a preventive approach during the life-cycle of chemicals.
5. Encouraging partnerships between stakeholders.
6. Creating sustainable funding mechanisms, adopting appropriate technology and enacting effective legislations and regulations.
7. Dealing transparently and credibly while handling hazardous wastes.
8. Applying the appropriate economic instruments, for example tax and other incentives, to support environmentally sound management of chemicals and waste.
9. Studying the health effects of chemicals particularly in women and children.
10. Mainstreaming environmental health, particularly as it relates to chemical safety, into medical training curricula.
11. Requesting active participation of health professionals in the implementation of the SAICM.

Requirements

Requirements at the national level

1. Enhancing the infrastructure necessary to deal safely with the environment and health effects of hazardous chemicals and wastes (laboratories, poison information centres, training centres, transportation arrangements for chemicals and monitoring stations)
2. Building institutional capacities (technical and administrative) in order to reduce the environment and health effects of hazardous chemicals and wastes.
3. Setting standardized limits (exposure limits, pollutants limits) for dealing with hazardous chemicals and wastes in collaboration with the World Health Organization (WHO) and the International Labour Organization (ILO) and other related organizations.
4. Raising awareness on the need for safe handling of hazardous chemicals and wastes and the means of reducing their impact on the environment and human health.
5. Developing databases easily accessed by the public to explain the risks associated with hazardous chemicals and wastes and the means of managing them.
6. Establishing cooperation between relevant bodies in the private sector and civil society, each in its own field of specialty, in order to address the adverse effects of hazardous chemicals and wastes on health and environment.

Requirements at the regional level

1. Developing and establishing an African monitoring system that would cover all maritime, land and air outlets to monitor international movements of hazardous chemicals and wastes in order to prevent illegal traffic.
2. Calling upon the Commission of the African Union and the United Nations Economic Commission for Africa to collaborate in order to convene the first meeting of parties to Bamako Convention as requested by article 16.2 of the Bamako Convention.
3. Developing a clearing house mechanism encompassing all necessary information on safe handling of hazardous chemicals and wastes; and on the quality, quantity, movement, places of export and import, means of transporting, pathways and final disposal of hazardous chemicals and wastes.
4. Building capacities of African customs officers, enabling them to identify hazardous chemicals and wastes and reducing the adverse effects to which they can be exposed during inspections.
5. Strengthening existing and/or establishing new regional laboratories with the capacity to test for chemicals covered by international regulatory regimes and to analyse those chemicals and their metabolites.
6. Establishing a politically supported legal body with all administrative, technical and financial powers to determine the compensations granted in relation to the adverse effects of illegal traffic.

Requirements on the international level

1. Continuing to set appropriate health measures to safeguard workers against the risks posed by handling of hazardous chemicals and wastes in collaboration with WHO and ILO and other related organizations.
2. Addressing hazardous chemicals and wastes within the Green Custom Initiative with the aim of building capacities and banning illegal traffic therein.
3. Addressing illegal traffic in hazardous chemicals and wastes as a crime under international law, taking into consideration that compensation should include rehabilitation of the polluted areas and the re-export of hazardous chemicals and wastes to their original sources.
4. Calling upon WHO to support countries using DDT for malaria control to undertake environmental safety measures to minimize its effects on the environment and human health.

5. Further, calling upon relevant IOMC organizations to support extensive research that will identify alternatives to DDT that are equally effective, safer and affordable, in line with recommendations made under the Stockholm Convention on Persistent Organic Pollutants.

Annex XIII

African regional position on the future of the Intergovernmental Forum on Chemical Safety adopted at the second African regional meeting on SAICM, Dar es Salaam, 16-17 July 2008

1. The second African regional meeting on the Strategic Approach supports the continuation of the intergovernmental Forum on Chemicals Safety (IFCS) in view of the complementary role of the Forum in the implementation of the Strategic Approach. The Strategic Approach focuses on effective management of chemicals while the Forum focuses on scientific knowledge and information dissemination on the effects of chemicals in the field of health and environment. The Forum will also be responsible for emerging issues that do not appear in the Global Plan of Action of the Strategic Approach, such as issues relating to nanotechnology, biofuels, climate change, electronic waste, dry cell batteries etc.
 2. After reviewing the available options in document SAICM/RM/Afr.2/INF/11/Rev.1, the second African regional meeting on the Strategic Approach recommends the adoption of either option 1 or 3, with option 1 being the preferred option for the region.
 3. Options 1 and 3 are as follows:
 - (a) Option 1 (in SAICM/RM/Afr.2/INF/11/Rev.1)

Modify IFCS as a distinct/independent institution arrangement that avoids duplication, enhances synergies and saves costs. The advantages of this option are as in paragraph 4.3.1.4 of document SAICM/RM/Afr.2/INF/11/Rev.1. Of note is that this option guarantees the integrity of the Forum. The major disadvantage is how to ensure the financial sustainability of the Forum. However, the continuation of the important role of the Forum as called for by the International Conference on Chemicals Management outweighs the financial burden of this option. For option 1, the institutional arrangements should be as in section A (1) of document SAICM/RM/Afr.2/INF/11/Rev.1: “WHO serves as the administering organization (the current arrangement).”
 - (b) Option 3 (in SAICM/RM/Afr.2/INF/11/Rev.1)

Integrate the Forum into the International Conference on Chemicals Management by making the Forum a subsidiary body of the Conference. The advantages of this option are as in paragraph 4.3.3.1 of document SAICM/RM/Afr.2/INF/11/Rev.1. Of note is the maintenance of the autonomous working structure of the forum, the cost-saving implications and the direct inputs to and alignment with priorities of the International Conference on Chemicals Management. For option 2, the institutional arrangements should be as in section A (3) of document SAICM/RM/Afr.2/INF/11/Rev.1: “WHO and UNEP jointly serve as the administering organizations.”
 4. Option 2 for the future of the Forum contained in document SAICM/RM/Afr.2/INF/11/Rev.1 was rejected because this would compromise the integrity of the Forum as its secretariat would cease to exist and this would affect the core functions of the forum for generation of scientific knowledge and information dissemination. Option B for institutional arrangements, within option 2, is completely rejected as it would make the Forum a programme activity.
 5. The proposed option of changing the name of the Forum to the “International Forum on Chemical Safety” is not supported on the grounds that this will be the same as sun-setting the Forum. It would amount to lowering the level of engagement by Governments who are key in making decisions, policies and legislation on issues related to chemical safety.
-