

# **African position paper on questions and issues for consideration at the regional implementation meeting organized under the auspices of the United Nations Economic Commission for Africa in preparation for the consideration of chemicals management by the Commission on Sustainable Development**

## **I. Introduction**

1. At its second session, held in Geneva, 10 to 15 May 2009, the International Conference on Chemicals Management (ICCM) adopted resolution II/7 ('Commission on Sustainable Development'), which *inter alia* encouraged "Strategic Approach stakeholders to participate in the work of the Commission on Sustainable Development on chemicals, including through regional preparatory processes".<sup>1</sup> At its fourth meeting, held in Nairobi, 20 and 21 August 2009, the Africa Core Group on the Strategic Approach to International Chemicals Management (SAICM), agreed that a regional position on chemicals management be accordingly developed with regard to the regional implementation meeting organized under the auspices of the United Nations Economic Commission for Africa in preparation for the consideration of chemicals management by the Commission on Sustainable Development at its 18<sup>th</sup> cycle.<sup>2</sup> It was furthermore agreed that the regional SAICM focal point would submit the African regional position for consideration at the regional implementation meeting to be held in Addis Ababa, from 26 to 30 October 2009.

2. The present note describes the African regional position in relation to the Commission on Sustainable Development's consideration of chemicals management, developed on the basis of elements agreed at the fourth Africa Core Group meeting referred to above as well as subsequent regional consultations.

## **II. Regional efforts in relation to the achievement of the 2020 objectives**

### **A. Achievements**

3. The African region notes that several achievements have been made in relation to the implementation of the Strategic Approach at the regional level. The African region has developed and adopted a regional plan of action, as envisaged in paragraph 22 of SAICM's Overarching Policy Strategy. A regional SAICM coordination mechanism, *i.e.* the African Core Group, has been established with a view to facilitating regional work, in particular the holding of regional SAICM meetings. Two such regional meetings, as foreseen in paragraph 26 of SAICM's Overarching Policy Strategy, have been held to date (1<sup>st</sup> African regional meeting, Cairo, 11-14 September 2006; 2<sup>nd</sup> African regional meeting, Dar e Salaam, Tanzania, 14-19 July 2008), with a third being planned for the beginning of 2010. The African Core Group, which has adopted a workplan, has held four meetings (1<sup>st</sup> African Core Group meeting, Cairo, 13-15 June 2006; 2<sup>nd</sup> African Core Group meeting, Cairo, 10 September 2006; 3<sup>rd</sup> African Core Group meeting, Dar e Salaam, Tanzania, 13 July 2008; and 4<sup>th</sup> African Core Group meeting, Nairobi, 21 and 22 August 2009).

4. A set of regional priorities have been identified and continuously developed in relation to the sound management of chemicals and SAICM implementation.<sup>3</sup>

5. Furthermore, numerous projects have been implemented under the framework of the SAICM Quick Start Programme in the African region. 76 out of 140 project proposals have been submitted from Governments and 17 out of 45 project proposals from civil society organizations in the African region. The Quick Start Programme is providing funding to 29 Government-led projects and four civil society projects in Africa. The region has contributed to the Quick Start Programme either directly or indirectly (in-kind).

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<sup>1</sup> Paragraph 3, resolution II/7, contained in the Report of the International Conference on Chemicals Management on the work of its second session, SAICM/ICCM.2/15.

<sup>2</sup> See paragraphs 6 and 7 as well as annex I of the report of the fourth meeting of the African Core Group on the Strategic Approach to International Chemicals Management, SAICM/ACG.4/3, available at [www.saicm.org](http://www.saicm.org).

<sup>3</sup> See annex II, *ibid.*

6. The region has also been very active in the work of the ICCM, which is the governing body of SAICM. Among the emerging policy issues identified by the Conference at its second session is the issue of electronic waste, which the African group had nominated jointly with Peru. Accordingly, the ICCM agreed to conduct further (cooperative) action in dealing with this emerging issue of such regional importance. Moreover, the region contributed to the development of revised modalities for considering emerging policy issues. The new modality, however, does not adequately address the concerns of the African region and other developing countries taking into consideration, *inter alia*, financial resource constraints and scientific capability constraints.

## **B. Challenges**

7. Implementation of the Strategic Approach and its objectives in furtherance of the sound management of chemicals by 2020 has, however, been uneven. Chief among the challenges in that regard has been the lack or inadequacy of resources. On the one hand, there are capacity gaps and the institutional infrastructure is often insufficient. On the other hand, the lack of financial means hampers the region's ability to generate the capacities and institutional infrastructure required for enhanced Strategic Approach implementation.

8. The following have been identified by the region as obstacles to sustainable financing of sound management of chemicals at national, sub-regional and regional levels. First, the sound management of chemicals suffers from insufficient political will and is not given adequate priority at the national, sub-regional and regional level. Second, there is a lack of chemicals policy at the national, sub-regional and regional level. Third, national economies are often too weak to effectively support the implementation of sound chemicals management policies. It follows that there is a need for national, sub-regional and regional strategies to be put into place for financing and implementing sound chemicals management beyond the Quick Start Programme. Accordingly, national, sub-regional or regional mechanisms are required for the financing of sound management of chemicals.

9. The Strategic Approach has not yet been fully integrated into national planning in the region. Most African countries have not mainstreamed sound chemicals management into their development strategies and other relevant processes for the allocation of resources. Overall, there is weak recognition of the need to mainstream sound chemicals management at the national, sub-regional and regional levels. The following sustainable strategies need to be put in place and implemented in order to mainstream sound management in the short, medium and long term in the region: The sound management of chemicals needs to be recognized as a priority issue at all levels; chemical policies at the national, sub-regional and regional levels need to be developed to that effect; and sustainable budgetary allocations are required at national level, sub-regional and regional levels.

10. Furthermore, and being a function of its nature as a cross-cutting issue, the sound management of chemicals suffers from a lack of sufficient coordination. Since it concerns numerous sectors, such as development, environment and health, which often are characterized by a considerable degree of separation from and unfamiliarity with each other, implementation is hampered by the absence of a sound chemicals management "champion" institution, which could assume overall owner- and leadership. Communication within the region also remains a challenge despite the development of a coordination mechanism in the context of SAICM.

11. Finally, the African continent continues to face difficulties in complying with evolving chemicals management regulations other regions have adopted. Strict regulatory measures imposed in relation to the importation of goods containing chemicals are accordingly hampering the ability of African countries to export to these regions and hence effectively operating like barriers to trade. At the same time, the African continent is struggling with investing the necessary resources, whether human or otherwise, to meet the regulatory requirements of other regions while remaining competitive internationally. International assistance is hence required to boost the continent's capacity in implementing elevated standards other regions have been able to enforce.

## **D. Opportunities**

12. The African region would like to emphasize that the multisectoral and multistakeholder nature of the Strategic Approach policy framework, if properly harnessed, may assist in the leveraging needed

resources, including personnel, expertise and financial means. SAICM is meant to and can further leverage the mainstreaming of sound chemicals management provided that additional attention is given to these issues across the range of sustainable development considerations. Opportunities, including such arising from the Commission on Sustainable Development's work on chemicals need to be fully explored.

13. Moreover, opportunities remain for the private sector to take proactive action in furtherance of sustainable and sound management of chemicals, rather than confining its role to being the addressees of regulatory standards imposed by the legislator. SAICM's all inclusive structure allows non-governmental stakeholders, including industry representatives, to facilitate such a proactive approach.

14. Similarly, SAICM offers important entry points for civil society representatives to participate in and contribute to the shaping of policies concerning the sound management of chemicals at the international, regional and national level. Opportunities for civil society to serve as a vehicle for reaching out to grassroots organizations have to be further exploited.

### **III. Linkages between sound chemicals management and sustainable development**

15. The sound management of chemicals is closely linked to sustainable development in several ways based on the premise that chemicals pose both positive and negative impacts. Firstly, the consumption and production of chemicals can be a driving force for economic development, while also a threat in cases where the unsound management of chemicals generates direct and indirect costs for societies. Manufacturing and trading chemicals can contribute significantly to the overall economic output of a country. The world chemicals industry is estimated to realize a turnover value about USD 3,180 billion and more than 20 million people have a job in connection with the chemicals industry worldwide. Equally, it can spur economic growth by facilitating the production and trade of other goods, including foodstuff. Conversely, the impact of accidents and dumping of toxic waste can significantly harm the economy by diminishing the workforce, rendering productive land unusable, and triggering disproportional costs for remediation.

16. Secondly, societies and their development benefit from the use of chemicals for the production of a wide range of goods as well as in products. They can, however, equally be threatened by the unsound management of chemicals and its impact on human health. Chemicals are effectively used in the pharmaceutical industry to gain health benefits or contribute to the production of foodstuff. However, at the same time chemicals can also be direct and indirect causes for health deficiencies. Similarly, the unsound management of chemicals is likely to entail detrimental effects on environmental development. If managed safely, the use of chemicals may yield benefits in terms of maintaining or even countering degradation of the environment (clean water, etc.).

17. In short, the sound management of chemicals touches upon several dimensions that are captured in the notion of sustainable development. The understanding that sustainable development cannot be achieved without the sound management of chemicals is inherent in the incorporation of chemicals issues into the landmark documents which constitute the substantive framework for the work of the Commission on Sustainable Development. Being the global policy framework for the sound management of chemicals, the African region hence believes that it is essential that SAICM contributes to the Commission's consideration of chemicals during its fourth implementation cycle (CSD 18/19) as provided for by resolution II/7, adopted by the Conference at its second session.

18. The African region recalls that the Strategic Approach derives from and builds on the substantive framework for sustainable development as developed by the Rio Declaration, Agenda 21 and the Johannesburg Plan of Implementation. The Strategic Approach serves the implementation of the 2020 goal articulated in the Johannesburg Plan of Implementation, namely that chemicals are produced and used in ways that minimize significant adverse impacts on human health and the environment. Furthermore, SAICM objectives build on those contained in Chapter 19 of Agenda 21 with regard to chemicals management.

#### **IV. Regional expectations in relation to the Commission on Sustainable Development's consideration of chemicals**

19. The African region welcomes the timely consideration of chemicals by the Commission on Sustainable Development during its 4th implementation cycle (CSD 18 and 19). The African region recalls that resolution II/7, adopted by the ICCM at its second session, emphasizes the need to take concerted action to achieve further progress towards the implementation of SAICM's 2020 goal (preambular paragraph 5, resolution II/7) and offers the Conference's assistance and cooperation in supporting the Commission's consideration of chemicals in relation to sustainable development (operative paragraph 1, resolution II/7). The ICCM envisaged *inter alia* four avenues to facilitate enhanced cooperation: it requests the SAICM secretariat to cooperate with the secretariat of the Commission on Sustainable Development (operative paragraph 2, resolution II/7); it encourages SAICM stakeholders to participate in the Commission's work on chemicals, including through regional preparatory processes (operative paragraph 3, resolution II/7); it commends to the attention of the Commission on Sustainable Development the report of the second session of the ICCM (operative paragraph 4, resolution II/7); and it invites the Commission to report to the third session of the ICCM on its consideration of chemicals during the 2010-2011 cycle (operative paragraph 9, resolution II/7).

20. Furthermore, the resolution signals several thematic areas of particular importance, namely the link between sound chemicals management and the achievement of the Millennium Development Goals (operative paragraph 5, resolution II/7), the need to mainstream chemical management in development strategies and assistance efforts (operative paragraph 6, resolution II/7), and the exploration of the roles of the private sector in supporting the global sound management of chemicals (operative paragraph 7, resolution II/7); it moreover draws the attention of the Commission to progress achieved in fostering synergies between relevant multilateral environment agreements as a useful experience in improving the effectiveness of such agreements and processes (operative paragraph 8, resolution II/7).

21. With a view to maximizing synergies and mutual reinforcement in the implementation of the shared 2020 objective, the African region expects the Commission to further develop the link between economic growth, industrialization, poverty reduction, and human health with a view to generating the needed political capital to implement the Strategic Approach to International Chemicals Management. By embracing and reinforcing sound chemicals management as a sustainable development issue, the Commission would further contribute to the mainstreaming of sound management of chemicals, including in development strategies and assistance efforts, as foreseen in resolution II/7.

#### **V. The importance of chemicals management for achievement of the Millennium Development Goals**

22. The sound management of chemicals, being a cross-cutting issue for sustainable development, is closely linked to the achievement of the Millennium Development Goals as laid out in the United Nations Millennium Declaration proclaimed in 2005 at the Millennium Summit. In particular, the sound management of chemicals bears an impact on and directly contributes to eradicating extreme hunger and poverty (Goal 1), reducing child mortality (Goal 4), improving maternal health (Goal 5), combating HIV/AIDS, Malaria and other diseases (Goal 6), and ensuring environmental sustainability (Goal 7). Equally, the Millennium Development Goals provide for substantive benchmarks in relation to the promotion of the sound management of chemicals, including the promotion of gender equality and empowerment of women (Goal 3), and the development of a global partnership for development (Goal 8).

23. The linkages between the sound management of chemicals and the achievement of the Millennium Development Goals were recognized by the ICCM at its second session. As referred to above, resolution II/7 accordingly invites the Commission on Sustainable Development to highlight the importance of sound chemical management for the achievement of the Millennium Development Goals (paragraph 5, resolution II/7).

## **VI. Role of Private Sector in supporting the implementation of the Strategic Approach to International Chemicals Management**

24. Resolution II/7 adopted by the ICCM at its second session invited the Commission on Sustainable Development to explore the role of the private sector in supporting the global sound management of chemicals. In that regard, the African region attaches importance to the following issues.

25. The chemicals industry is a major actor for the promotion of sound management of chemicals in the African region. The majority of companies operating in Africa with regard to the production of chemicals are multinational and transnational corporations. However, due to the prevalence of weak regulatory regimes and/or limited enforcement thereof, these corporations are, at times, seen to use this to their advantage and apply standards lower than those imposed in their country of origin. The application of double standards undermines the achievement of sound chemical management. Correspondingly, the strengthening of regulatory frameworks forms an important component of the Strategic Approach and its implementation.

26. The African region recognizes with appreciation the support offered by industry, such as for the Pan African Chemistry Network and through the African Stockpiles Programme. Considering existing and future industry benefits from engaging on the African continent, the industry should further contribute to investments in chemical production and chemical beneficiation with a view to enhancing economic development in Africa. Industry contributions in this regard, however, will need to be made responsibly, *i.e.* taking into account national and regional priorities as well as operating in full compliance with existing regulatory frameworks.

27. Industry is at the forefront of research and development in relation to the production, use and disposal of chemicals. With its vast experience related to chemicals management, it is best fit to contribute and actively promote the sound management of chemicals, including by sharing and disseminating relevant knowledge and information. Similarly, industry and its extensive pool of resources should further contribute to research on and development of alternatives to chemicals which may be of national, regional or global concern.

## **VII. Progress achieved in fostering synergies between multilateral environment agreements**

28. Another issue of importance to the African region concerns the need to foster synergies between relevant multilateral environment agreements for effective SAICM implementation and the achievements of its objectives. The African region emphasizes that SAICM, *inter alia*, is based on the implementation of applicable chemicals management agreements with a view to strengthen the coherence and synergies that exist between them and addressing, as appropriate, existing gaps in the framework of international chemicals policy.<sup>4</sup> Being holistic and overarching in nature, SAICM's strategic policy framework serves as a conduit for enhanced efforts towards the mainstreaming of sound chemicals management throughout the existing normative infrastructure. Multilateral environment agreements and instruments in the area of chemicals, including the Montreal Protocol on Substances that Deplete the Ozone Layer, the United Nations Framework Convention on Climate Change, the Basel, Rotterdam and Stockholm Conventions, as well as the International Health Regulations fall under the purview of the Strategic Approach and its Overarching Policy Strategy given their relevance to the achievement of the SAICM objectives with regard to the protection of health and the environment.

29. As recognized in paragraph 8 of resolution II/7 adopted by the ICCM at its second session, progress has already been achieved in fostering synergies between the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in international Trade and the Stockholm Convention on Persistent Organic Pollutants and with the Strategic Approach. Past and ongoing activities offer useful experience in improving the effectiveness of multilateral environmental agreements and processes.

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<sup>4</sup> Paragraph 8, Dubai Declaration on International Chemicals Management.

30. Ongoing activities in furtherance of synergies between multilateral environmental agreements include the convening of an extraordinary meeting of the Conferences of the Parties to the Basel, Rotterdam and Stockholm Conventions in 2010. Moreover, regional awareness raising workshops on synergies of the Basel, Rotterdam and Stockholm Conventions are being organized, including for the African region (28 to 30 October 2009, Pretoria).

31. While welcoming ongoing and planned activities, the African region notes that the pace with which progress is being achieved in furtherance of synergies between multilateral environment agreements has been slow. Accordingly, the African region emphasizes that additional efforts to that effect are needed.

## **VIII. Conclusion**

32. The African region notes that while different frameworks for the sound management of chemicals exist, there is a need for avoiding duplication between them and seeking mutual reinforcement as well as synergies towards the achievement of the common objective of sound chemicals management by 2020. Accordingly, the existence of a coordinating mechanism is essential in order to build synergies and avoid re-inventing the wheel. As a voluntary strategic policy framework, SAICM is intended and well placed to exercise such a function without interfering with the governing structures and mandates of relevant instruments. Moreover, SAICM is unique and the main, if not only means for African countries to achieve 2020 goal, which – as elaborated above - was developed in the context of sustainable development. Its utility in particular is to promote sound management of chemicals at national, regional and global levels. SAICM should hence be used as a driver to promote sound chemicals management at national, regional and global levels. However, the African region also observes that the voluntary nature of SAICM can give rise to difficulties in its implementation at national and regional levels.

33. The African region looks to the Commission on Sustainable Development and its consideration of chemicals management as a means to reinforce the joint overall objective of sound chemicals management by 2020. That work should reinvigorate the Strategic Approach and contribute to the mainstreaming of sound chemicals management throughout all strata of sustainable development. As envisaged by resolution II/7, adopted by the ICCM at its second session, a report on the outcomes of the Commission's work on chemicals should be submitted for the information of the Conference at its third session, to be convened in 2012. The African region notes that the Commission will have an opportunity to submit information to the Conference also through processes preceding the third session of the ICCM, such as in the preparation of the work of the Open-ended Working Group, which is to meet in 2011.<sup>5</sup>

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<sup>5</sup> According to para. 11 of resolution II/4, adopted by the International Conference on Chemicals Management at its second session, the OEWG will consider “regional inputs and other information to assess the proposals” taking into account specific criteria (i.e. magnitude of the problem and its impact on human health or the environment; extent to which the issue is being addressed by other bodies, particularly at the international level, and how it is related to, complements, or does not duplicate such work; existing knowledge and perceived gaps in understanding about these issues; extent to which the issue is of a cross-cutting nature; information on the anticipated deliverables from action on the issue); hence, CSD could offer its contribution to the OEWG on issues nominated and made public as provided for in para. 6, resolution II/4.