

Targeting Toxic Chemicals on the Way to the Johannesburg Summit

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The World Summit on Sustainable Development (WSSD) offers the opportunity for concerted action by governments, industry, and NGOs to insist on proper chemical testing and to reinforce calls to halt production and use of the most dangerous chemicals. To that end, the next few months offer a critical window during which to ratify and commit funding for four chemicals-related treaties; develop robust regional chemical management strategies; and launch efforts safely to rid the Earth of obsolete chemical stockpiles.

Wherever scientists look – the tropics, marine systems, industrial regions, the Arctic – they find the impacts of synthetic chemicals. These chemicals are showing up in the body tissues of people and animals around the world. Global production has skyrocketed over the last 70 years – over 1000 new chemicals enter global commerce every year, adding to the more than 80,000 already developed. Only a few hundred of these substances have been studied in depth for their health or environmental effects.

Two of the most insidious groups of chemicals are (1) persistent organic pollutants (POPs) – industrial chemicals such as dioxins and PCBs, and pesticides such as chlordane and dieldrin, and (2) endocrine disrupting chemicals (EDCs) – for example lindane and endosulfan pesticides, the phthalates used in plastics, and the bisphenol A used in the lining of tin cans. Four characteristics of POPs make them particularly harmful: they are toxic; they resist the normal processes that break down contaminants in the environment; they accumulate in body fat and are passed from mother to foetus; and they can travel great distances on wind and water currents. Endocrine disrupting chemicals, many of which are commonly found in

consumer products, are synthetic chemicals that block, mimic, or otherwise interfere with naturally produced hormones, the body's chemical messengers that control how an organism develops and functions.

Urgent attention is needed to phase out and ban the most harmful POPs, EDCs, and other toxic chemicals and to put in place safe, affordable, and effective alternatives. Four global treaties, once in force, could contribute enormously to these efforts: the Stockholm POPs Convention; the Rotterdam PIC Convention; the Basel Convention and Ban Amendment; and the 1996 Protocol to the London Convention on ocean dumping. These treaties address the production and use of persistent chemicals; controls on the trade in toxic chemicals and the accumulation of pesticide stockpiles; the trafficking of hazardous wastes; and the dumping of hazardous materials at sea. WSSD will provide governments a prime-time opportunity to announce their ratifications of this critical package of treaties.

- **The Stockholm Convention on Persistent Organic Pollutants** has been signed by 93 countries since its official entry on the global stage on 22 May 2001. Already by the end of June it had two

KEY CHALLENGES:

- **Build on the momentum of the May 2001 diplomatic signing ceremonies for the new global treaty on POPs**
- **Support ratification before September 2002 of four critical chemicals-related treaties: the Stockholm POPs Convention; the Rotterdam PIC Convention; the Basel Convention and its 1995 Ban Amendment; and the 1996 Protocol to the London Convention on ocean dumping**
- **Secure funding to ensure full and effective POPs treaty participation by developing nations and transitional economies**
- **Expedite development of screening and testing programs for endocrine disrupting chemicals**
- **Support partnerships with the Global Environment Facility to advance environmentally safe alternatives to waste incineration and to eliminate obsolete pesticide stockpiles from the African continent**

Parties, Canada and Fiji, with 48 to go. With accelerated ratification activities currently taking place, confidence is growing that the Stockholm Convention may enter into force in record time.

The Stockholm Convention calls for outright banning and destruction of some of the world's most dangerous chemicals. The treaty is designed to eliminate or severely restrict the production and use of 12 POPs (with provisions to include additional POPs in future); ensure environmentally sound management and chemical transformation of POPs waste; and prevent the emergence of new chemicals with POPs-like characteristics. Key provisions include its embrace of precaution in the face of uncertainty; funding commitments by developed countries to ensure that all nations can participate; emphasis on preventing new POPs from entering the stream of commerce; and call for substitute products and processes rather than reliance on pollution scrubbers and filters.

- **The Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemical and Pesticides in International Trade** alerts governments as to what chemicals are banned or severely restricted, by which countries, and for what reasons. Adopted in September 1998, the Convention is slated to replace the voluntary prior informed consent (PIC) procedure operated by UNEP and FAO since 1989. Governments have elected to follow the new PIC procedures during this interim period before the Convention enters into force. As of July 2001, the Rotterdam Convention had 15 Parties out of 50 required for entry into force.

The Rotterdam Convention presently covers 31 chemicals including 21 pesticides, five severely hazardous pesticide formulations, and five industrial chemicals. Other chemicals will be added over time. The cornerstone of the treaty, prior informed consent, enables Parties to review basic health and environmental data on specified chemicals and to permit or refuse any incoming shipments of those chemicals. Each Party's decisions are disseminated widely, allowing those countries with less advanced regulatory systems to benefit from the assessments of those with more sophisticated facilities. Instituting PIC is a critical first step in the process of improving chemical management capacity – helping to draw attention to those substances causing the greatest harm, disseminating that information, and facilitating national decision-making on chemical imports.

- **The Basel Convention and the Basel Ban Amendment** emerged from the public outcry following international scandals in the late 1980s involving hazardous waste trafficking and dumping. It is important that nations ratify each of these instruments. As of August 2001, 26 countries had ratified both the underlying Convention and its Ban Amendment, the latter of which needs 62 Parties for entry into force. The European Community has enacted legislation that is binding for all 15 Member States and three partner

nations in the European Economic Area, so in practice 33 countries are implementing the ban.

The Basel Convention aims to control the transboundary movement of hazardous wastes, promote their environmentally sound management and disposal, and prevent illegal waste trafficking. Particularly noteworthy are its prohibition on the shipment of hazardous waste to Antarctica and its emphasis on regional centres and programmes. The 1995 Ban Amendment significantly strengthens the Convention by barring the export of hazardous wastes from member states of the OECD and Liechtenstein to all other countries.

- **The 1996 Protocol to the 1972 London Convention on the Prevention of Marine Pollution by Dumping of Waste and Other Matter** aims to control all sources of marine pollution. As of March 2001, the Protocol had 13 Contracting Parties out of the 26 required for entry into force. Eleven of those 13 are also Parties to the 1972 Convention; ultimately at least 15 Parties to the 1996 Protocol need to be Parties to the earlier treaty.

The London Convention focuses primarily on the dumping at sea of wastes generated on land. It includes a black list of substances for which dumping is prohibited and a grey list for which dumping may be authorised by permit. All other materials can be dumped in the ocean. The 1996 Protocol, when in force, will replace the outmoded 1972 Convention. The revised text embraces strong precautionary language in its general obligations; urges parties to consider the polluter-pays principle; and calls for waste prevention audits to carefully assess alternatives to dumping. Alternatives may include product reformulation, clean production technologies, process modification, and on-site, closed-loop recycling. Rather than permit all but a few instances of ocean dumping, the 1996 Protocol prohibits all dumping unless explicitly permitted, and then only with a permit subject to periodic review. The Protocol bars virtually all dumping of hazardous and radioactive wastes, incineration at sea, and exports of wastes for dumping or incineration.

The World Summit provides a special opportunity for national leaders and NGOs to work together to launch these four important treaties so that swift, effective, adequately-funded implementation can begin soon thereafter. Together with chemical management initiatives at the local, national, and regional levels, these global instruments offer a promising path forward in continuing to address the challenges presented by the Earth Summit's Agenda 21, in particular chapters 19 and 20 on toxic chemicals and hazardous wastes. ●