



ISSUES FOR CONSIDERATION

The Forum was created as a tool for bringing together stakeholders from governments, industry, multilateral institutions, academia and other members of civil society to address the issues related to the contribution that non-ferrous metals can make to sustainable development. In the three years since the London Workshop, the Working Groups of the Forum have been discussing the issues and developing tools to address the challenges and opportunities facing the non-ferrous metals sector in the areas of production, product stewardship and science, research and development.

Now that these issues have received some detailed analysis and discussion by the members of the three Working Groups, a number of issues need to be considered by the Forum regarding the next steps.

1. Existing Structure and Priorities

In the year since the last Forum meeting in Porto each of the Working Groups has made progress and produced a number of tangible outputs (as detailed in the section on Working Group activities). In addition to this work, other forums have been discussing similar issues related to minerals, metals and sustainable development, most notable the industry led Global Mining Initiative and the United Nation led World Summit on Sustainable Development. To ensure that the work of the Forum is taken forward and its recommendations are implemented, a number of key questions need to be addressed:

- To take the work forward in the most efficient manner, participants in each working group agreed to select those issues of most common interest as a starting point. In the intervening period, each working group has been analysing the issues and drawing some conclusions. How can the work of the Forum be implemented such that it meets its objectives as stated in the Vision Statement and reflect the issues identified in the London Workshop?
- Is there a need to target audiences for the Forum's outcomes to ensure that its achievements are known and applied?
- Should these audiences be prioritised - whether they are government regulators, industry participants or stakeholders in civil society?



International Copper
Study Group



International Nickel
Study Group



International Lead and
Zinc Study Group

- Can the existing structure of the Working Groups be improved to ensure that the Forum's work results in tangible outcomes?
- Can priorities be set for the major issues that have emerged to date relating to sustainable development drivers, community engagement, product stewardship and science and research or can they be further integrated?
- What should future Forum meetings address? How can the funds be secured for future activities of the Forum? Should the Forum be seeking partners to take on part of the work and implement recommendations? Funding is required for the organisation of Forum meetings, workshops, and ongoing projects. Ensuring the participation of non-governmental organisations and least developed countries would have to be addressed as well. Given that to date, Forum activities have been funded from extraordinary contributions from the Study Groups and some member countries, how can funding be secured for future activities of the Forum?

2. Taking the Next Step: Implementation of the Forum's Recommendations

The Forum's work has resulted in a focus on a number of issues, some of which have improved understanding of the drivers behind sustainable development for non-ferrous metals and proposed tangible outputs, whereas others have highlighted differences in approaches by stakeholders towards sustainable development. At its outset, the Forum decided that its "vision" would only be achieved by engaging all stakeholders with an interest, but that consensus on every issue might not be attainable. Two tracks are available to the Forum to secure the implementation of its recommendations:

i. Development of a Product Stewardship Scheme for Non-Ferrous Metals

Regarding the development of a product stewardship scheme based upon a voluntary industry-led approach, two options regarding the engagement of the Forum have been identified by the Product Stewardship Working Group:

- Provide aid and tools to industry and stakeholders for implementing such a scheme including indicators and criteria identified by the Product Stewardship Working Group complemented with the output of the other two Working Groups on Production and Science and Research.
- Establish a joint approach of the Product Stewardship Working Group to develop such a scheme in close collaboration with industry and key stakeholders. In this context, the identification of a number of volunteering pilot companies would be crucial.

It is the expectation of the Working Group that this product stewardship framework, once completed, can then be used as a model to build on and guide the work that is already taking place or is planned within companies, industry associations and elsewhere.

In Porto, all the Forum's participants supported the basic principles for a product stewardship scheme. Nevertheless, it was recognized that the practice-oriented

elaboration of criteria and measurable indicators and eventually implementation would need further discussion among industry, governments and other key stakeholders. Therefore, any scheme to be developed would need to have some form of continuing stakeholder engagement to ensure its credibility, especially if it took the form of a voluntary industry-led initiative. The Forum should discuss how it could be assured that any scheme building on the Work of the Forum is effective, credible and has adequate support from all stakeholders.

i. Organisation of Workshops

Another possible parallel track could be the organisation of dedicated workshops to develop recommendations for resolving differences of approach - in relation, for example, the science questions related to non-ferrous metals and sustainable development - that have emerged during the Forum process. The workshops would also explore how uptake of their outputs by the various stakeholder groups can be maximised.

There are instances where national regulators and international associations have adopted this kind of approach. In the United States, for instance, a draft action plan for the development of a Framework for Metals Assessment is being developed by Environmental Protection Agency. The Society of Environmental Toxicology and Chemistry (SETAC) is also working on a number of issues relating to the life cycle assessment of metals. The strength of the Forum process is that it cuts across national and sector boundaries. Such workshops could be particularly useful if they included a range of government regulators as well as other stakeholders who could take back any outcomes to their national capitals for consideration.

3. The Forum in relation to other International Developments

In 2001, the Advisory Committee's "Strategic Discussions Paper" proposed a number of options for consideration relating to where the Forum process might be leading. The Forum's work over the last year has shown that these options remain on the table for consideration. They can be summarised as:

- Intensification of engagement with the International Non-ferrous Metals Industry. During 2002 contacts were made with the newly created International Council on Mining and Metals (ICMM). Co-operation was also strengthened with the international metals associations (ICA, IWCC, IZA, LDA, NiDI) who have co-operated amongst other things, to develop guidelines and tools for a pilot product stewardship scheme.
- Improve the Profile of NFMSD in Member Governments of the Study Groups The Forum would continue to operate as multi-stakeholder forum, working on issues relevant to the contribution metals make towards sustainable development. The outcomes of working groups, workshops or other meetings would be promoted intensively across member governments - including departments that are not normally represented at Study Group meetings.

Study Group members could continue to work through the Forum process to address those issues related to non-ferrous metals that are common to all three

Groups, commission special studies, either as joint activities or on an individual basis.

Where certain issues require a collective response, the Forum could recommend that members make representation to the appropriate organisations through their respective government channels, either at the United Nations or other intergovernmental organisations like, for example, the OECD or APEC. Individual Study Group member may also choose, through their own domestic legislative process, to introduce policies that would be consistent with the recommendations of the Forum on a voluntary basis.

- Extend links with Key Stakeholders

The Forum would continue to operate as multi-stakeholder forum, working on issues relevant to the contribution metals make towards sustainable development and providing a framework for key stakeholders of the non-ferrous metals sector to contribute their aspirations for Sustainable Development into the NFMSD's established process. In this context, increasing engagement of civil society groups including organizations from developing countries would require the sourcing of resources for funding their active participation in the Forum process.

- Promotion of the Forum more widely, for example within the UN system.

UNCTAD have been active participants in the Forum and have expressed interest in broadening its scope following the Johannesburg SD summit. In the Advisory Committee's July 2001 "Strategic Directions Discussion Paper", the possibility was raised of the UN sponsoring a meeting of the Forum during which an Action Plan would be proposed for the support of UN member countries. In this way governments and industry would both agree to a set of shared principles and commitments for the sustainable development of non-ferrous metals.

When the Forum meets in The Hague it will have to consider the outcomes of the WSSD in Johannesburg, including the potential role in any "Type II" initiatives, as they relate to non-ferrous metals. Governments participating in the World Summit meeting in Johannesburg clearly identified the important role of mining, minerals and metals in their Plan of Implementation. Paragraph 44 of the Plan specifically outlined that to enhance the contribution of mining, minerals and metals make to sustainable development, actions at all levels are required to:

- Support efforts to address the environmental, economic, health and social impacts and benefits of mining, minerals and metals throughout their life cycle, including workers' health and safety, and use a range of partnerships, furthering existing activities at the national and international levels, among interested Governments, intergovernmental organisations, mining companies and workers, and other stakeholders, to promote transparency and accountability for sustainable mining and minerals development;
- Enhance the participation of stakeholders, including local and indigenous communities and women, to play an active role in minerals, metals and mining development throughout the life cycles of mining operations, including after closure for rehabilitation purposes, in accordance with national regulations and taking into account significant transboundary impacts;

- Foster sustainable mining practices through the provision of financial, technical and capacity-building support to developing countries and countries with economies in transition for the mining and processing of minerals, including small-scale mining, and, where possible and appropriate, improve value-added processing, upgrade scientific and technological information, and reclaim and rehabilitate degraded sites.

In this regard, the WSSD outcome clearly demonstrates the direction taken by the Forum is consistent with United Nation's sustainable development objectives and has the potential to boost the Forum's activities. In addition to the United Nations process, the Forum should consider its options for enhanced co-operation with the ICMM and other industry associations. The ICCM has already expressed its wish to participate actively in the Working Groups of the Forum. The Forum has the attraction of existing active participation by a broad range of mining industry and metal associations. Many of these associations are associated members of ICMM and they could offer a route to broader engagement.

After two years in existence, the Forum has built up expertise and has produced useful outcomes. It could be argued that further weight is needed to deliver political support at the level where the Forum's work can make a difference in the global sphere. Johannesburg will put sustainable development issues into a spotlight. The member governments of the Forum may wish to consider whether this window of opportunity might be used to secure some form of domestic political backing for the Forum's work.