

חקיקה סביבתית בינלאומית והשלכותיה על שרשרת האספקה

מפגש קבוצת עבודה ראשון 2015:
רגולציות ותיכון לקיימות

07/01/2015

גיל דרור, עו"ד

משרד עו"ד צבי לוינסון למשפט סביבתי ישראלי ובינלאומי

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CRUISING WITH MR. STATUS QUO...



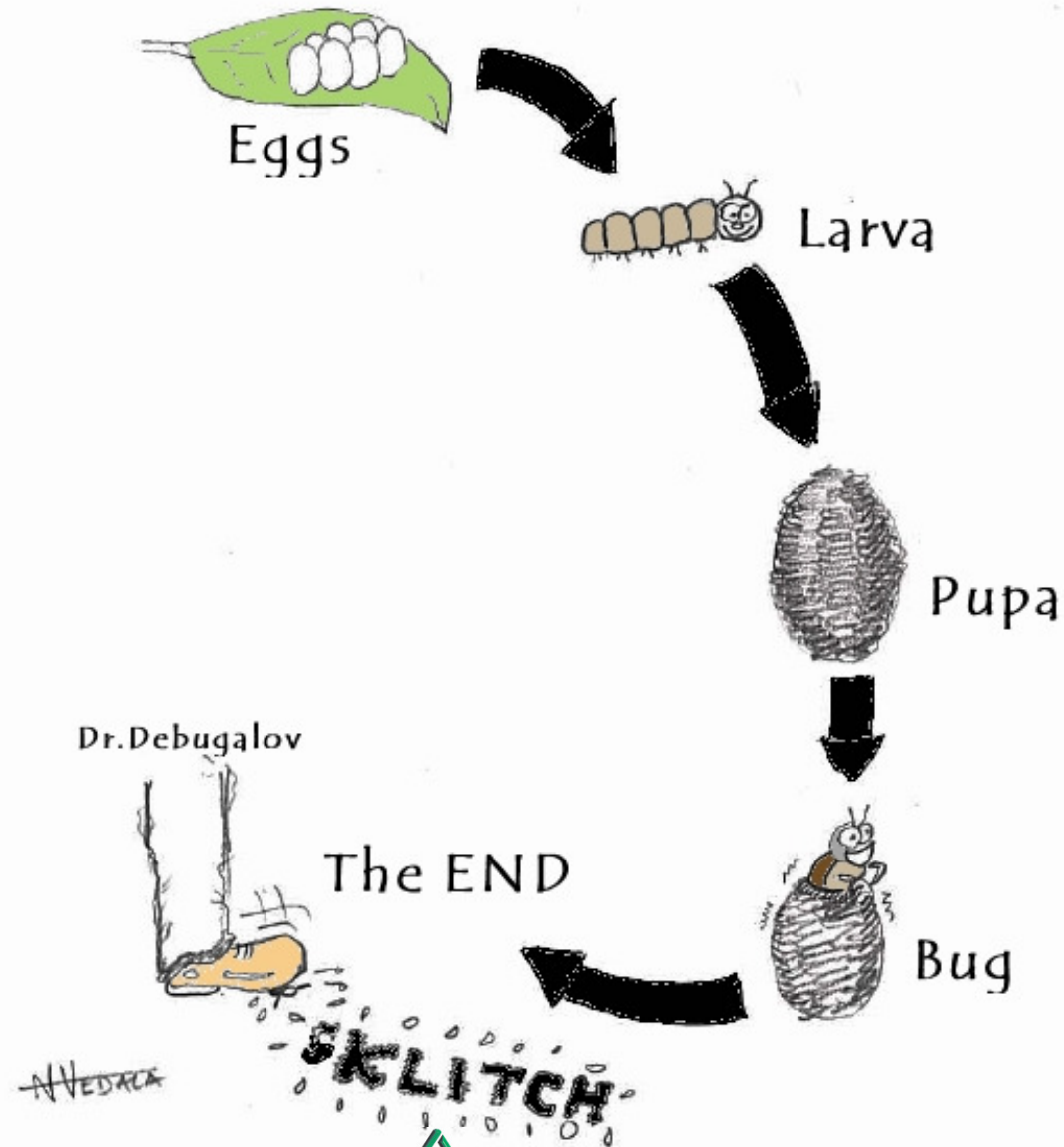


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Nature's Wonder: Life cycle of a beetle





Cradle to Grave



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Cradle to Cradle



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Cradle to Cradle



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PERIODIC TABLE OF THE ELEMENTS

1	H																						
2	Li																Be						
3	Na												Mg	B					C	N	O	F	Ne
4	K		Ca	Sc	Ti	V	Cr	Mn	Fe	Co	Ni	Cu	Zn	Ga	Ge	As	Se	Br	Kr				
5	Rb		Sr	Y	Zr	Nb	Mo	Tc	Ru	Rh	Pd	Ag	Cd	In	Sn	Sb	Te	I	Xe				
6	Cs		Ba		Hf	Ta	W	Re	Os	Ir	Pt	Au	Hg	Tl	Pb	Bi	Po	At	Rn				
7	Fr		Ra		Rf	Db	Sg	Bh	Hs	Mt	Ds	Rg	Cn	Nh	Fl	Lv	Ts	Og					
			La	Ce	Pr	Nd	Pm	Sm	Eu	Gd	Tb	Dy	Ho	Er	Tm	Yb	Lu						
			Ac	Th	Pa	U	Np	Pu	Am	Cm	Bk	Cf	Es	Fm	Md	No	Lr						

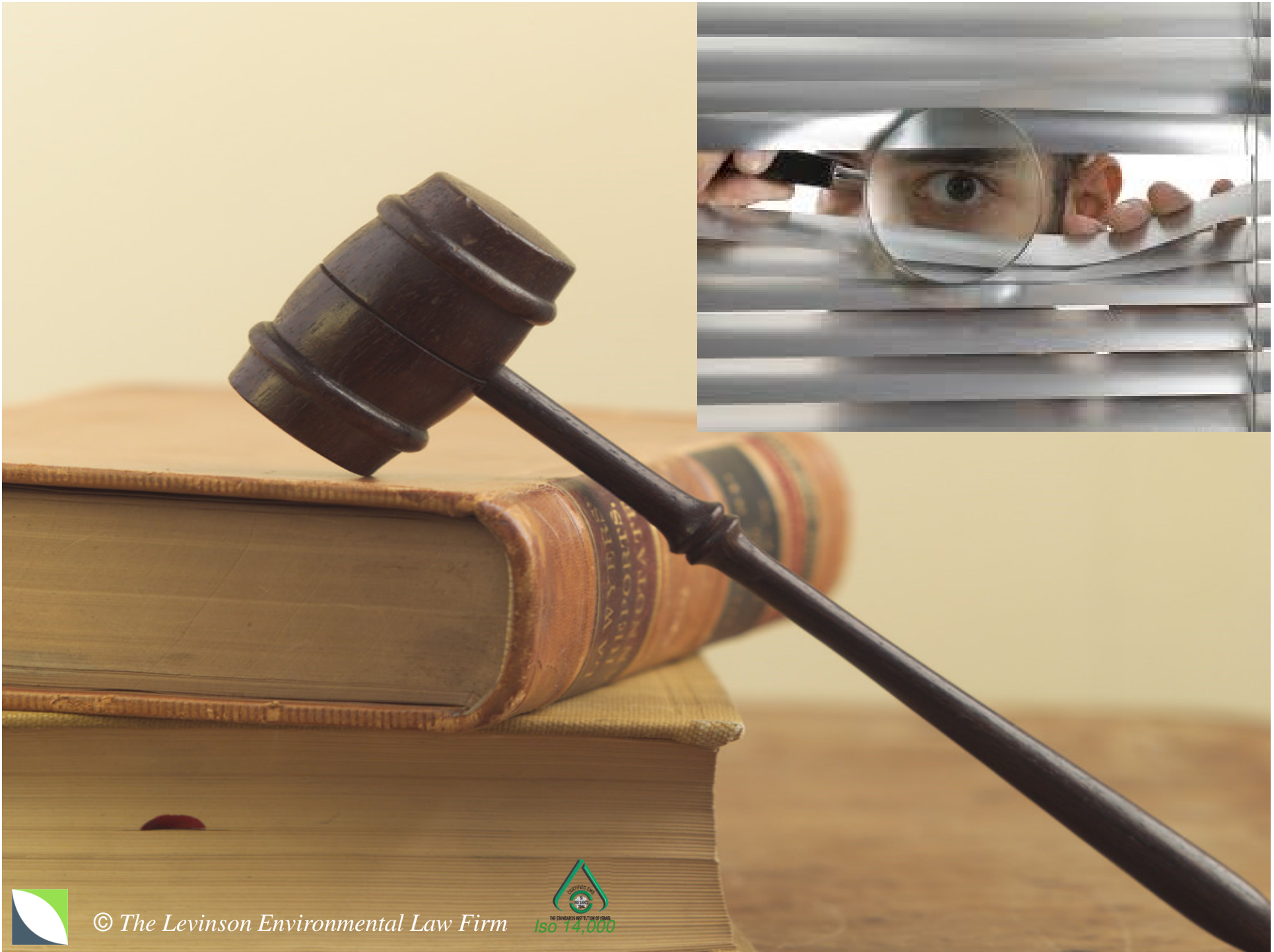




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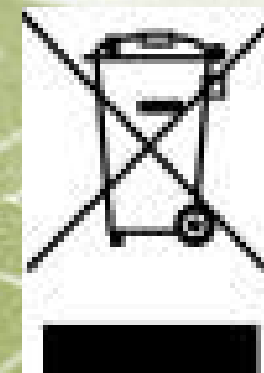
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”לֵד-אֶל-נִמְלָה עֵצֶל; רְאֵה דַרְכֵיהָ וַחֲכָם.”

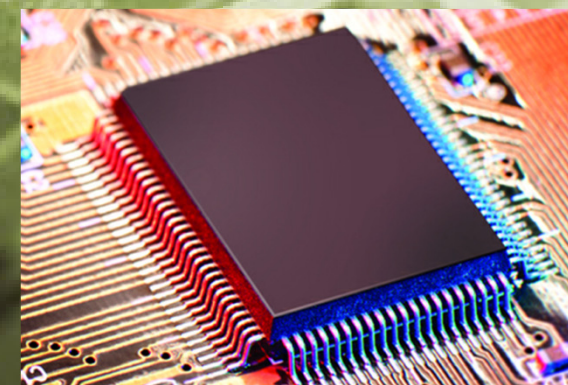
משלי ו,ו



2002/95/EC RoHS דירקטיבת
Restriction of certain hazardous substances



- Restricted substances:
 - Lead
 - Mercury
 - Cadmium
 - Hexavalent chromium
 - Polybrominated biphenyls (PBBs)
 - Polybrominated diphenyl ethers (PBDEs)



RoHS - Maximum Concentration

Maximum concentration values:

- 0.01 % for cadmium
- 0.1 % for the other restricted substances

In homogeneous materials:

“A material that cannot be mechanically disjointed into different materials.”





RoHS Compliant
Directive 2002/95/EC

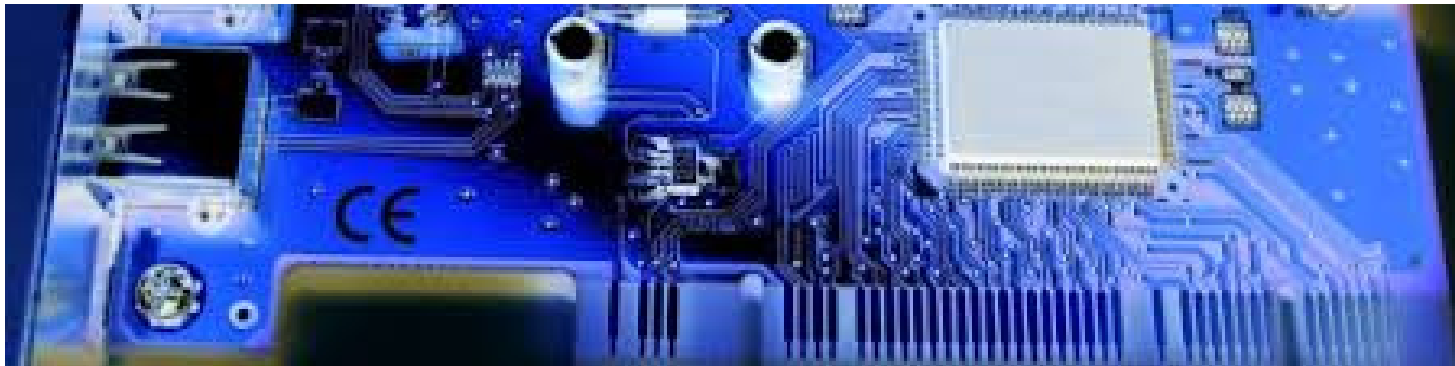
LEAD FREE

Contains Lead
Not for EU sale or import



RoHS Recast

2011/65/EU



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RoHS Recast 2011

Marking requirements

Type

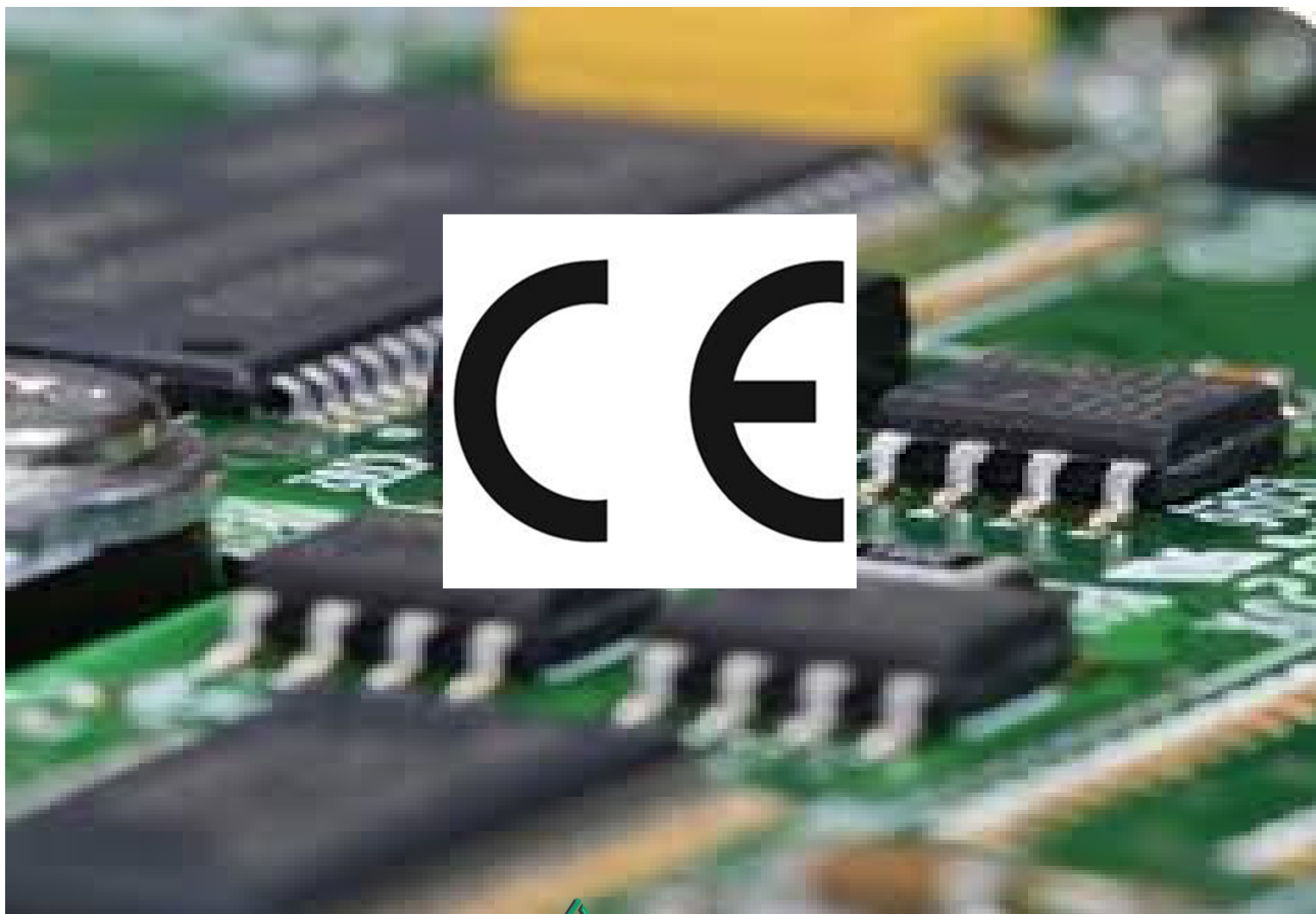
Batch

Serial Number

Declaration of Conformity



RoHS Recast 2011





Central African Republic

South Sudan

Republic of Congo

Democratic Republic of Congo

Uganda

Rwanda
Burundi

Tanzania



Angola

Zambia

US Dept of State Geographer
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Data SIO, NOAA, U.S. Navy, NGA, GEBCO

גובה מעל פני הים: 739 מ' 35°28'44" מז' 57°2'30' ד

Blood Diamond



Kimberley Process Certification Scheme

US 10261 KPS Certificate Number (PKS) 2002111026178

KIMBERLEY PROCESS CERTIFICATE
UNITED STATES OF AMERICA

The rough diamonds in this shipment have been handled in accordance with the provisions of the Kimberley Process International Certification Scheme for Rough Diamonds.

Issuing Authority: U. S. K. P. A.	Date of Issue 11/11/02
Exporter _____	Date of Expiry 11/10/06
Importer Diamond Energy Inc	Number of Parcels 2
Value in U.S. \$ 450,000	Carat Weight/Mass 34.83
Relevant Harmonized Commodity Description and Coding System 710211 0000	

The issuer of this certificate accepts no responsibility relating to the accuracy of the data recorded by the exporter of the referenced shipment.


US 10261



Conflict Minerals

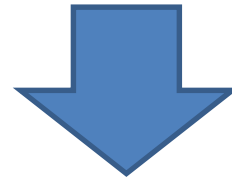


Background

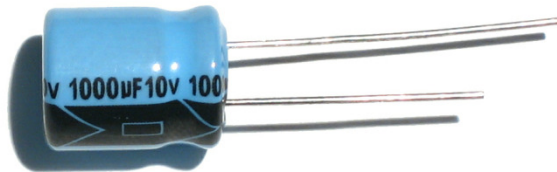




Columbite-tantalite (Coltan)



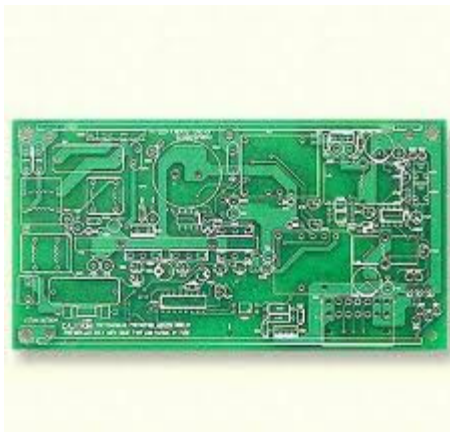
Tantalum



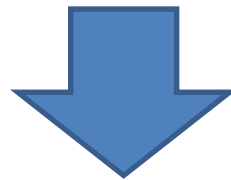
Cassiterite



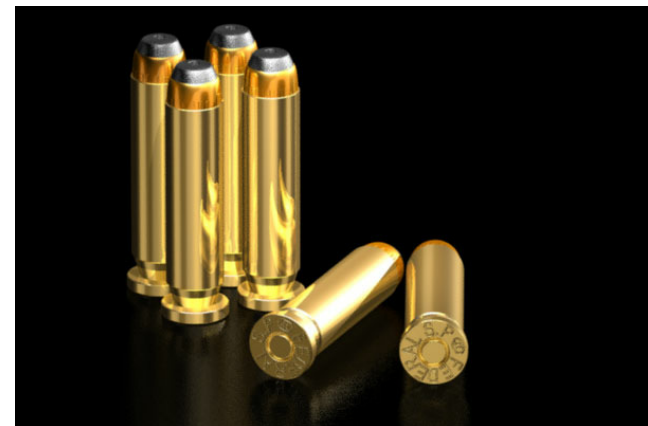
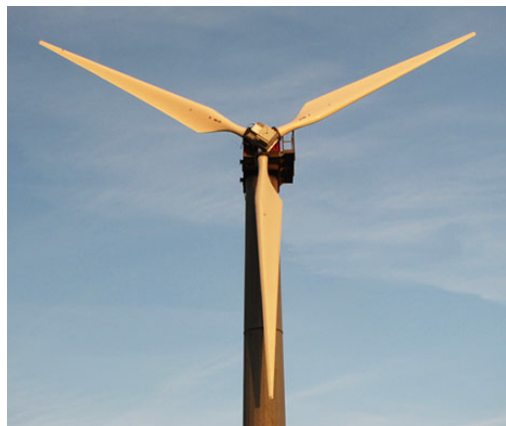
Tin



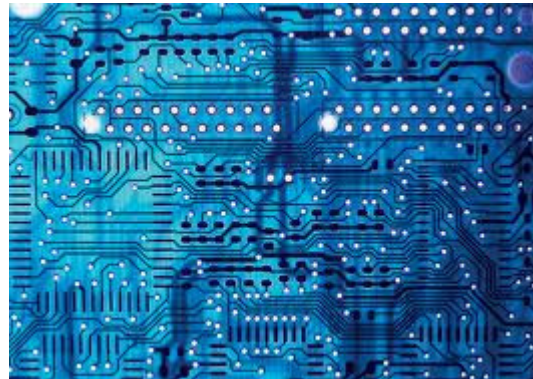
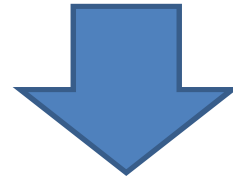
Wolframite



Tungsten



Gold





Dodd–Frank Wall Street Reform and Consumer Protection Act, 2009



Dodd Frand Act – 2010 section 1502



17 CFR Parts 240-249b (2012)





1 - What

Conflict Mineral ***Report (for covered area)***

Audit by an Independent private sector auditor



2 - *To Whom*

Sec

(Security and Exchange Commission)

SEC Issuers + foreign Issuers



3 - *Who*

Manufacture that includes conflict minerals
or *contract to manufacture* products

4 - How



OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas

SECOND EDITION





UN due diligence guidelines: genesis

- DRC Mining - lifeblood of the DRC economy and important for global economy
- But...links to conflict





5 - When

May 2014

RCOI

Reasonable Country of Origin Inquiry



“Must be performed in good faith”

Exemptions



Exemption I – “Contract to Manufacture”

Section 1502 – “Issuers who contract to manufacturer”

Final Rule – Exempt most private label retailers

Sec Guidance - Depends on the ***degree of influence*** it exercises over the materials, parts, ingredients or components to be included.

An Issuer \neq “contract to manufacture”

if its involvements is limited to the following actions:

1. Contractual terms that do not related to the manufacturing of the product

Unless it exercises a degree of influence over the manufacturing that is equivalent to contracting terms that directly related to the manufacturing of the product

2. The issuer does not affixes its brand, marks, logo or label

3. The issuer services, maintains or repairs a product

Exemption II – Necessary to the functionality

1. CM is *intentionally added* to the product (or any component)?



2. CM is necessary to the expected *function, use or purpose* of the product

3. The primary purpose of the CM in the product is *ornamentation or decoration*

Exemption III – “Necessary to the production”

1. Intentionally included in the product



Or

in a machine, equipment used to produce the product

2. Necessary to produce the product

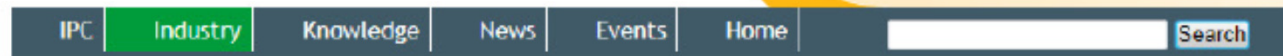
CM that is a catalyst or is not contained in the final product



Not considered by SEC

Reports

Due Diligence



Conflict Minerals

[IPC submits comments to the EU on Conflict Minerals Initiative.](#)

[View presentation on EU's Conflict Minerals Initiative by Signe Reiso, Director, DG Trade, EU Commission](#)

Industry

[Industry Data](#)

[Government Relations](#)

Reports

Form SD

special disclosure



IF

“DRC Conflict Undeterminable”

DRC Conflict Free



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October 17, 2014, 4:15 PM ET

SEC Should Not Handle Conflict Minerals Reports: Commissioner

Article

Comments (1)

By JOHN KESTER
Reporter

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Deloitte.

Cyber Risk Remains a High Priority for CFOs: Survey
Deloitte's latest CFO Signals™ survey found CFOs of large North American companies view cybersecurity as a high priority. Overall, 74% of CFOs say cybersecurity is a top priority; only 6% do not. Meanwhile, 62% of CFOs indicate they have a comprehensive information strategy and plan to combat cyber risks, but less than 20% express high confidence in their ability to execute on their plans, according to Edward Powers, national managing principal, Cyber Risk Services, Deloitte & Touche LLP.

Read more about: cybersecurity, Economic outlook

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Please note: The Wall Street Journal News Department was not involved in the creation of the content above.

3/2014

EU proposal for Conflict

Mineral regulation





EU Importer





Voluntary – Self Certification





*Regardless of their
country of origin*





Obligations (on the importer)

1. Management System

Conflict Mineral Policy



Corporate policy into agreements



Allocate responsibility along the supply chain



Mechanism that allow parties raise concerns



Traceability System





2. Risk Management Procedure

***Identify and assess
risks supply chain***





3. Third party audit

***Self Certification
Declaration***

***EU + Downstream
users***

***EU commission will
published a list of
responsible smetlers***



Guidelines for Social Responsibility in Outbound Mining Investments





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'Drillers in the mist': How secret payments and a firm open African national park to oil

British oil company Soco International and its secret payments, appear to have paid off armed rebels to foster violence by government security forces to gain access to Africa's oldest national park for oil

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Lasting Peace
A decades-old international relations tenet remains crucial to global security

Current Issue

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Background

Cover Stories Series 2014> 60th Anniversary of the Five Principles of Peaceful Coexistence> Background

UPDATED: July 8, 2014 NO. 28 JULY 10, 2014

About Five Principles of Peaceful Coexistence

Share        

Initiated in 1954, the Five Principles of Peaceful Coexistence is an important international relations tenet created by China, India and Myanmar, which includes mutual respect for sovereignty and territorial integrity, mutual non-aggression, non-interference in each other's internal affairs, equality and mutual benefit, and peaceful coexistence.

In the early 1950s, late Chinese leader Mao Zedong (1893-1976) announced that China should fight for lasting world peace, that Beijing would never be aggressive toward any countries, and that it would not permit imperialism and aggression against China. He also said the Chinese people have the right to decide their country's affairs and China would not allow any other country to interfere in its internal matters. Mao added that China will also never interfere in the internal affairs of other countries. These ideas formed the rudiment of the Five Principles.

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Packaging



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REACH Regulation



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ISO 14,000



Regulation of wood packaging material in International Trade

ISPM15



EU Timber Regulation EC 995/2010



Do you deal in wood?

Have you heard? On 3 March 2013, an EU Timber Regulation (EUTR) comes into effect to stop the circulation of illegally logged wood in the European Union.



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תודה על ההקשבה!

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