

Distr.: General
28 September 2011

Original: English

**Open-ended Working Group of the International Conference
on Chemicals Management**

First meeting

Belgrade, 15–18 November 2011

Item 5 (c) of the provisional agenda*

**Implementation of the Strategic Approach:
new and emerging policy issues**

Emerging policy issues and managing perfluorinated chemicals and the transition to safer alternatives

Note by the secretariat

Executive summary

1. One of the functions of the International Conference on Chemicals Management, as set out in paragraph 24 (j) of the Overarching Policy Strategy of the Strategic Approach to International Chemicals Management, is “to focus attention and call for appropriate action on emerging policy issues as they arise and to forge consensus on priorities for cooperative action”.

2. In accordance with this function and the discussions on emerging policy issues that took place at the second session of the Conference, in May 2009, the present note summarizes progress on emerging policy issues identified in resolution II/4 of the Conference, including lead in paint, chemicals in products, hazardous substances in the life cycle of electrical and electronic products and nanotechnologies and manufactured nanomaterials, and resolution II/5, on managing perfluorinated chemicals and the transition to safer alternatives

3. Attention is drawn to the following documents prepared by the relevant participating organizations of the Inter-Organization Programme for the Sound Management of Chemicals, which provide additional information on progress achieved in relation to these issues:

- (a) SAICM/OEWG.1/8: Proposed additions to the Global Plan of Action of the Strategic Approach to International Chemicals Management;
- (b) SAICM/OEWG.1/9: Progress report on the implementation of resolution II/4 B on lead in paint;
- (c) SAICM/OEWG.1/10: Report on the chemicals in products project, including draft recommendations;
- (d) SAICM/OEWG.1/11: Progress report on hazardous substances in the life cycle of electrical and electronic products;
- (e) SAICM/OEWG.1/12: Progress report on nanotechnologies and manufactured nanomaterials;

* SAICM/OEWG.1/1/Rev.1.

- (f) SAICM/OEWG.1/13: Progress report on managing perfluorinated chemicals and the transition to safer alternatives.
4. In line with paragraph 2 of resolution II/6 the Open-ended Working Group is to consider the implementation, development and enhancement of the Strategic Approach, including:
- (a) Continuing discussion on work on emerging policy issues;
 - (b) Considering proposals for the inclusion of new activities in the Global Plan of Action;
 - (c) Considering initiatives that are being undertaken and addressing progress and gaps in achieving the goal that, by 2020, chemicals are used and produced in ways that lead to the minimization of significant adverse effects on human health and the environment;
 - (d) Considering the outcomes of regional meetings;
 - (e) Identifying priority issues for consideration for inclusion in the agendas of the sessions of the Conference.
5. The Open-ended Working Group may also prepare draft decisions or resolutions for possible adoption by the Conference at its third session, in 2012.

Possible action by the Open-ended Working Group

6. The Open-ended Working Group, taking into account continuing work on existing emerging policy issues and on managing perfluorinated chemicals, the need to complete that work and the limited resources currently available to the secretariat, may wish:
- (a) In respect of emerging policy issues:
 - (i) To review progress made on each emerging policy issue as requested in resolution II/4, including whether the actions called for in respect of each issue have been adequately implemented;
 - (ii) To consider recommendations for continuing cooperative action on each emerging policy issue as necessary;
 - (iii) To prepare a draft omnibus resolution for further consideration of the International Conference for Chemicals Management at its third session;
 - (b) In respect of managing perfluorinated chemicals and the transition to safer alternatives:
 - (i) To review progress made on work on managing perfluorinated chemicals and the transition to safer alternatives as requested under resolution II/5;
 - (ii) To consider information submitted by the Organization for Economic Cooperation and Development (OECD) and to provide feedback on the terms of reference of the global perfluorinated chemicals group established to replace the OECD perfluorinated chemicals steering group as agreed at the forty-fourth joint meeting of the OECD Chemicals Committee and the OECD Working Party on Chemicals, Pesticides and Biotechnology, and in particular on proposed work for 2011–2012;
 - (iii) To submit nominations for members of the global perfluorinated chemicals group as requested at the forty-fourth joint meeting.

I. Background

7. One of the functions of the International Conference on Chemicals Management set out in paragraph 24 of the Overarching Policy Strategy of the Strategic Approach is “to focus attention and call for appropriate action on emerging policy issues as they arise and to forge consensus on priorities for cooperative action”. Paragraphs 14 (g) and 15 (g) of the Overarching Policy Strategy call, respectively, for new and emerging issues of global concern to be sufficiently addressed by means of appropriate mechanisms and for an acceleration of the pace of scientific research aimed at identifying and assessing the effects of chemicals on human beings and the environment, including emerging issues.

8. In its resolution II/4 the Conference requested the secretariat to report to the Open-ended Working Group at its first meeting and to the Conference at its third session on progress made with the work on the following emerging policy issues:

- (a) Lead in paint;

- (b) Chemicals in products;
- (c) Hazardous substances in the life cycle of electrical and electronic products;
- (d) Nanotechnologies and manufactured nanomaterials.

9. Recognizing the relevance of existing programmes and activities and wishing to avoid the duplication of work, the Conference invited the following intergovernmental organizations to lead the work on the above-mentioned emerging policy issues as follows:

- (a) The United Nations Environment Programme (UNEP) and the World Health Organization (WHO) (lead in paint);
- (b) UNEP (chemicals in products);
- (c) Participating organizations of the Inter-Organization Programme for the Sound Management of Chemicals and the secretariats of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal and the Stockholm Convention on Persistent Organic Pollutants (hazardous substances in the life cycle of electrical and electronic products);
- (d) Relevant international organizations, including OECD and other organizations participating in the Inter-Organization Programme for the Sound Management of Chemicals and the International Organization for Standardization (nanotechnologies and manufactured nanomaterials).

10. In resolution II/5, on managing perfluorinated chemicals and the transition to safer alternatives, the Conference invited the submission of a progress report on the work.

11. Work on emerging policy issues has been under way throughout the period since the second session of the Conference, and regular updates were provided at Strategic Approach regional meetings held in 2010 and 2011.

II. Summary of the progress achieved on emerging policy issues and managing perfluorinated chemicals and the transition to safer alternatives

A. Action called for in resolutions II/4 and II/5

12. Resolution II/4 calls for specific actions to be implemented under each of the emerging issues identified in the resolution. Those actions are:

- (a) In respect of lead in paint:
 - (i) Establishment of a global partnership to promote the phase-out of lead in paint;
 - (ii) Development of a business plan articulating clear milestones for progress in achieving a global phase-out of lead in paint in the following areas:
 - a. Awareness-raising about the toxicity of lead and on alternatives;
 - b. Guidance and assistance to identify potential lead exposure;
 - c. Assistance to industry (manufacturers, wholesalers and retailers);
 - d. Prevention programmes to reduce exposure;
 - e. Promotion of national regulatory efforts;
- (b) In respect of chemicals in products:
 - (i) Implementation of a UNEP-led project:
 - a. To collect and review existing information on information systems on chemicals in products;
 - b. To assess the information needs of all stakeholders and identify gaps;
 - c. To develop recommendations for cooperative action with regard to information on chemicals in products;
 - (ii) Constitution of a project advisory group and preparation of a project report;

- (iii) Submission of proposals for cooperative action that take into account the Globally Harmonized System of Classification and Labelling of Chemicals and avoid any duplication of efforts under that system;
- (c) In respect of hazardous substances in the life cycle of electrical and electronic products:
 - (i) Convening of a workshop to identify and assess issues relating to chemicals management based on a life-cycle approach, including equipment design, green chemistry, recycling and disposal;
 - (ii) Development of a series of options and recommendations for future work, through existing mechanisms to the extent possible, for consideration and possible cooperative action for consideration at the third session of the Conference;
- (d) In respect of nanomaterials and nanotechnologies:
 - (i) Facilitation of access to relevant information and sharing of new information as it becomes available;
 - (ii) Development of a report considering, in particular, issues of relevance to developing countries and countries with economies in transition.

13. With regard to managing perfluorinated chemicals and the transition to safer alternatives resolution II/5 calls for consideration to be given to “the development, facilitation and promotion in an open, transparent and inclusive manner of national and international stewardship programmes and regulatory approaches to reduce emissions and the content of relevant perfluorinated chemicals of concern in products and to work toward global elimination, where appropriate and technically feasible”.

B. Progress in implementing the action called for in resolutions II/4 and II/5

14. Progress in relation to the emerging policy issues identified in resolutions II/4 and the management of perfluorinated chemicals as called for in resolution II/5 is summarized in the following subsections.

1. Lead in paint

15. UNEP and WHO have completed operational and organizational work and have established a partnership that is known as the Global Alliance to Eliminate Lead Paints. Progress has included:

- (a) Bringing resolution II/4 B to the attention of public health and environment officials and professionals with an interest in children’s environmental health and prevention of lead poisoning;
- (b) Holding a first organizational meeting of the Global Alliance to develop the overall goals and objectives for the initiative;
- (c) Establishing an interim advisory group to discuss cross-cutting issues and to review and promote actions to implement the Global Alliance’s overall goals and objectives;
- (d) Conducting outreach and advocacy work to identify potential formal contributors to the partnership, including through side events at Strategic Approach regional meetings;

16. A report on progress in the implementation of the provisions of resolution II/4 on lead in paint and the work of the Global Alliance is set out in documents SAICM/OEWG.1/9 and SAICM/OEWG.1/INF/4.

2. Chemicals in products

17. UNEP established a steering group to provide advice on how the project on chemicals in products should be conducted. It held a meeting in Geneva on 17 and 18 December 2009 regarding a study to define, focus and prioritize stakeholder needs and the product sectors to be further considered.

18. Four sector-specific case studies on building products, electronics, toys and textiles have been completed. Each case study reviews the state of information exchange in the relevant sector, identifies specific needs for information on chemicals in products, maps out information flows in the sector, identifies possible obstacles to the provision of and access to information and seeks to identify means of overcoming such obstacles. An expert consultation was held in Geneva on 9 and 10 December 2010 to discuss the case studies and possible ways forward. Document SAICM/OEWG.1/INF/5 sets out a synthesis of the four sector case studies and the expert consultation.

19. Subsequently, a workshop on the project was held in Geneva from 16 to 18 March 2011. Workshop participants identified elements to be included in the recommendations developed by UNEP for the first meeting of the Open-ended Working Group and the third session of the International Conference on Chemicals Management. The report of the workshop is set out in document SAICM/OEWG.1/INF/6. An overall report on the project, including recommendations to the Open-ended Working Group, is set out in document SAICM/OEWG.1/10.

3. Hazardous substances in the life cycle of electrical and electronic products

20. The United Nations Industrial Development Organization worked with the secretariats of the Basel and Stockholm conventions to convene an international workshop on issues associated with electrical and electronic products based on a life-cycle approach. The report of the workshop, which was held in Vienna from 29 to 31 March 2011, is set out in document SAICM/OEWG.1/INF/7 and a report on activities in relation to hazardous substances in the life cycle of electrical and electronic products is set out in document SAICM/OEWG.1/11.

4. Nanotechnologies and manufactured nanomaterials

21. There have been three main areas of progress in the work on nanotechnologies and manufactured nanomaterials. First, OECD and the United Nations Institute for Training and Research have held a series of awareness-raising workshops in association with Strategic Approach regional meetings to inform developing countries and countries with economies in transition about the potential applications of nanotechnologies and manufactured nanomaterials. Second, pilot activities in Colombia, Nigeria and Thailand are under way to explore the development of national nanotechnology-related policies. Third, a report on nanotechnologies and manufactured nanomaterials, including issues of relevance to developing countries and economies in transition, has been coordinated by the Strategic Approach secretariat. A summary of these activities is provided in document SAICM/OEWG.1/12. The full report on the third area of work referred to above is provided in document SAICM/OEWG.1/8.

5. Managing perfluorinated chemicals and the transition to safer alternatives

22. Progress in work related to managing perfluorinated chemicals and the transition to safer alternatives has been overseen by a steering group. Activities undertaken include:

- (a) Establishment of a web-based portal on perfluorinated chemicals (www.oecd.org/ehs/pfc);
- (b) Declassification for general release of a 2009 OECD survey on perfluorinated chemicals;
- (c) Web-based seminars;
- (d) Workshop on perfluorinated chemicals held on 5 September 2011, immediately preceding the third Strategic Approach regional meeting for Asia and the Pacific;
- (e) Extension of the membership of the steering group to include countries that are not OECD members.

23. The report on progress and recommendations in this area prepared by participating organizations of the Inter-Organization Programme for the Sound Management of Chemicals and OECD referred to in paragraph 10 above is set out in document SAICM/OEWG.1/13.

III. Outcomes of Strategic Approach regional meetings in relation to emerging policy issues and managing perfluorinated chemicals and the transition to safer alternatives

24. Progress on the work undertaken to implement resolutions II/4 and II/5 has been discussed at all Strategic Approach regional meetings held since the second session of the International Conference on Chemicals Management.

25. In preparation for the first meeting of the Open-ended Working Group the participants at the regional meetings for Africa and Latin America and the Caribbean adopted recommendations and resolutions on hazardous substances in the life cycle of electrical and electronic products, nanotechnology and manufactured nanomaterials and lead in paint. Information on the outcomes of the regional meetings held in 2011, is provided in documents SAICM/OEWG.1/3 and a compilation of reports including resolutions is provided in document SAICM/OEWG.1/INF/11.

IV. Emerging policy issues and managing perfluorinated chemicals in the context of attaining the 2020 goal of the Plan of Implementation of the World Summit on Sustainable Development

26. The adoption of the Strategic Approach followed the recognition by the international community that the sound management of chemicals was essential to achieving sustainable development and that, while much had been achieved through the implementation of various international environmental agreements concerned with the management of specific substances, progress in international chemicals management was insufficient and much remained to be done.

27. This recognition is embodied in the Plan of Implementation of the World Summit on Sustainable development,¹ which includes as one of its goals that, by 2020, “chemicals are used and produced in ways that lead to the minimization of significant adverse effects on human health and the environment”. The Strategic Approach, in paragraph 13 of its Overarching Policy Strategy, takes this 2020 goal as its overall objective.

28. The Open-ended Working Group may wish to consider progress on the work called for in resolutions II/4 and II/5 in the context of the 2020 goal. More specifically, it may wish to reflect on whether the work completed to date and the recommendations for further work contribute sufficiently to the achievement of the 2020 goal.

A. Lead in paint

29. As indicated in the report on progress in the implementation of decision II/4 B, a coherent and holistic business plan for the Global Alliance to Eliminate Lead Paints, with a clear articulation of milestones for measuring progress in achieving a global phase-out of lead in paint by 2018, is currently being finalized. The phase-out of lead in paint by 2018 would significantly contribute to achievement of the 2020 goal.

30. Three factors have been identified by UNEP and WHO in document SAICM/OEWG.1/9 as critical to attaining the overall goal and specific objectives of the Global Alliance: engagement with Governments, private-sector commitment and financial support.

31. Suggested actions focus on addressing these critical factors; in reviewing the progress achieved on lead in paint, the Working Group may wish to consider specific ways of encouraging broader engagement in the Global Alliance, particularly by Governments, and to support actions aimed at raising awareness at the national level through an international lead poisoning prevention day of action, to be held for the first time in October 2013 with a focus on the elimination of lead paint.

32. Noting that the finalization of a business plan is anticipated in early 2012, the Open-ended Working Group may wish to invite UNEP and WHO to submit it for consideration by the International Conference on Chemicals Management at its third session, and also invite them to take into account the discussions of the Open-ended Working Group as appropriate in finalizing this work.

B. Chemicals in products

33. Raising awareness of what chemicals are contained in products is a key step in reducing risks associated with exposure to harmful substances. The UNEP-led project in this area benefits from advice from a multi-stakeholder steering group and involves various product sectors. Work undertaken to date includes a survey of Strategic Approach focal points, a study aimed at identifying existing systems and stakeholder information needs and gaps, in-depth case studies in four product sectors and consultations with stakeholders at meetings and workshops.

34. UNEP, in consultation with a drafting group consisting mainly of members of the project steering group, has developed recommendations relating to information exchange on chemicals in products for the consideration of the Conference at its third session. They relate to, among other things, pilot projects in various sectors and a proposal to develop through a multi-stakeholder process a non-legally-binding framework for facilitating the flow of information on chemicals in products. The Working Group may wish to consider the recommendations in view of the 2020 goal and the Overarching Policy Strategy objective on knowledge and information.

¹ *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

C. Hazardous substances in the life cycle of electrical and electronic products

35. Adopting a life-cycle approach to hazardous substances contained in electric and electronic products is an important step towards preventing harm to human health and the environment resulting from exposure to these substances. Particular attention should be paid to the uncontrolled export of hazardous electrical and electronic waste and near-end-of-life electrical and electronic products from developed countries to developing countries and countries with economies in transition lacking adequate facilities for their proper disposal.

36. In reviewing progress achieved on the implementation of resolution II/4 C, the Working Group may wish to consider the recommendations emanating from the workshop held in Vienna in March 2011. In addition, it may wish to recommend that the International Conference on Chemicals Management adopt the proposed resolution set out in document SAICM/OEWG.1/11.

37. The resolution, among other things, recalls the need to protect the health of workers and communities from harmful exposure to hazardous substances contained in electrical and electronic products from the point of extraction to disposal, recommends adding work on such substances as a new work area of the Global Plan of Action;² and calls for the continuation of work to develop a set of international best practice resources in this area. The resolution further encourages Governments to take specific actions to deal with hazardous chemicals in electrical and electronic products throughout their life cycles and encourages the health sector, including ministries of health, to participate actively in actions related to the electronics sector.

D. Nanotechnologies and manufactured nanomaterials

38. The special characteristics of nanomaterials allow them to be used in various new applications. Although nanomaterials are produced in smaller quantities than are other chemicals, it is expected that their use will increase significantly over the coming decade.

39. Through regional workshops countries have been encouraged to begin developing national policies on nanotechnologies and manufactured nanomaterials to ensure an integrated approach by and coordination between the Strategic Approach and the Basel Convention, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the Stockholm Convention, to encourage the mainstreaming of nanotechnologies and manufactured nanomaterials issues into development planning and to provide for the sound management of nanotechnologies and manufactured nanomaterials throughout their life cycles.

40. In reviewing progress achieved in relation to nanotechnologies and manufactured nanomaterials, the Open-ended Working Group may wish to consider the information provided in the report on the applications, implications and safety management of nanomaterials in the context of the Strategic Approach. The executive summary of the report can be found in document SAICM/OEWG.1/12 and the full text in document SAICM/OEWG.1/INF/8.³ More specifically, it may wish to consider drafting a resolution based on the recommendations outlined in the report for consideration by the International Conference on Chemicals Management at its third session.

41. The recommendations include the proposed addition of activities to the Global Plan of Action;⁴ development of regional Strategic Approach strategies concerning manufactured nanomaterials; expanding industrial stewardship for nanomaterials including financial participation for awareness-raising, information exchange, training activities and public dialogue; and the preparation a workplan for developing criteria for the Globally Harmonized System of Classification and Labelling of Chemicals concerning the safety of nanomaterials. Other recommendations include facilitation of information exchange on nanotechnologies and manufactured nanomaterials; development of internationally applicable guidance and training materials; and facilitation of technology transfer for applications that protect human health and the environment.

2 A proposal for the inclusion of work on hazardous substances in the life cycle of electrical and electronic products as a new work area in the Global Plan of Action is included in document SAICM/OEWG.1/8.

3 The report was commissioned by the secretariat in response to resolution II/4 E of the International Conference on Chemicals Management at its second session. It was drafted by Rob Visser in co-operation with Georg Karlaganis, Vladimir Murashov and Seonghee Seo.

4 A proposal for the inclusion of nanotechnologies and nanomaterials as a new work area in the Strategic Approach Global Plan of Action was presented by the Government of Switzerland and is set out in document SAICM/OEWG.1/8.

E. Managing perfluorinated chemicals and the transition to safer alternatives

42. Work on the management of perfluorinated chemicals and the transition to safer alternatives is planned to continue, including through national and international stewardship programmes and regulatory approaches. This will be further facilitated by the global perfluorinated chemicals group. In reviewing progress, the Open-ended Working Group may wish to provide feedback on the terms of reference of the Global global perfluorinated chemicals group, and in particular on proposed work for 2011–2012. The Working Group is also invited to submit nominations for members of the group.

F. Conclusions

43. Good progress has been made in relation to the implementation of resolutions II/4 and II/5. All the actions called for under each resolution have largely been accomplished or are under way. Nonetheless, recommendations for further action signal that considerable work remains to be done with regard to lead in paint, chemicals in products, hazardous substances within the life cycle of electrical and electronic products, nanotechnologies and nanomaterials and perfluorinated chemicals.

44. The Open-ended Working Group, taking into account the continuing work on existing emerging policy issues and on managing perfluorinated chemicals, the need to complete that work and the limited resources currently available to the secretariat, may wish:

- (a) In respect of emerging policy issues:
 - (i) To review progress made on work on each emerging policy issue as requested in resolution II/4, considering whether the actions called for in the resolution have been adequately implemented;
 - (ii) To consider recommendations for continuing cooperative actions on each emerging policy issue as necessary;
 - (iii) To consider the various recommendations provided under each emerging issue and prepare a draft resolution for consideration by the Conference at its third session;
 - (b) In respect of managing perfluorinated chemicals and the transition to safer alternatives:
 - (i) To review progress made on work on managing perfluorinated chemicals and the transition to safer alternatives as requested under resolution II/5;
 - (ii) To consider information submitted by OECD and to provide feedback on the terms of reference for the global perfluorinated chemicals group, including in particular proposed work for 2011 and 2012;
 - (iii) To accept the invitation to submit nominations of members of the global perfluorinated chemicals group as requested.
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