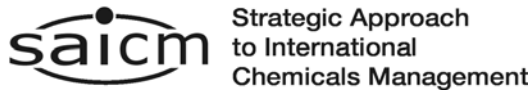




SAICM/ACG.5/2

Distr.: General
27 January 2010



English only

**Meeting of the Africa Core Group on the
Strategic Approach to International Chemicals Management**
Abidjan, 24 and 27 January 2010

Report of the fifth meeting of the African Core Group on the Strategic Approach to International Chemicals Management

I. Introduction

1. The meeting was opened at 9.10 a.m. on 24 January 2010 by Mr. David Kapindula (Zambia), chair of the African Core Group and African regional focal point for the Strategic Approach to International Chemicals Management (SAICM).
2. Mr. Dakouri Raphaël Zadi, national SAICM focal point of Cote d'Ivoire, welcomed the participants on behalf of the Government of Cote d'Ivoire.
3. Mr. Michael Schoiswohl, SAICM secretariat, welcomed the participants and noted that the meeting of the African Core Group was the first of a series of meetings related to the Strategic Approach to International Chemicals Management to be held in the course of the week benefitting from the warm hospitality of the Government of Cote d'Ivoire. He noted that the meeting of the African Core Group would in particular serve preparations for the Africa regional meeting, which would be held on 28 and 29 January. The agenda of that meeting reflected the plethora of issues and activities to be considered during the current interessional period leading up to the third session of the International Conference on Chemicals Management in 2012. The meeting would also provide for an opportunity to review the terms of reference and workplan of the African Core Group for 2010 as deemed appropriate.

II. Adoption of the agenda

4. The agenda, as set out in SAICM/ACG.5/1 was adopted with no changes.
5. The meeting was attended by the following members: Mr. David Kapindula (Zambia), the current SAICM regional focal point and chair of the African Core Group, Ms. Abiola Olanipekun (Nigeria), former SAICM regional focal point, Mr. Jean Claude Emene Elega (Democratic Republic of Congo), Mr. Serge Molly Allo'o Allo'o (Gabon), Mr. Said Ali Thaoubane (Comoros), Ms. Caroline Njoki Wamai (Kenya), Mr. Mohamed Bachir

Ghanem (Algeria), Ms. Caroline Theka (Malawi), Mr. John Pwamang (Ghana), Mr. Oumar Diaoure Cisse (Mali), Ms. A'isha Usman Mahmood (Nigeria), Ms. Zukie Noluzuko Gwayi (South Africa), Mr. Yahya Khamis Msangi (International Trade Union Confederation), Mr. Jamidu Katima (International POPS Elimination Network) and Mr. Oladele Osibanjo (Basel Convention Regional Coordinating Centre for Africa). In accordance with paragraph 2, lit. c of the terms of reference of the African Core Group, Mr. Babajide Alo (Nigeria) was invited to attend the meeting as technical advisor to facilitate the meeting's preparatory work on the issue of nanotechnology for the forthcoming regional meeting. The meeting was also attended by Mr. Dakouri Raphaël Zadi representing the host of the meeting, the Government of Cote d'Ivoire.

III. Information from the regional focal point on the activities undertaken since the fourth meeting of the African Core Group, held in Nairobi on 20 and 21 August 2009

6. The chair of the meeting, in his capacity as regional focal point, provided an overview of activities undertaken since the fourth meeting of the African Core Group, held in Nairobi, 20 and 21 August 2009. He recalled that the African Core Group had discussed at that meeting that a regional position be developed for the consideration of chemicals at the Regional Implementation Meeting for Africa, which served as a preparatory forum for the consideration of chemicals by the Commission on Sustainable Development during its eighteenth and nineteenth sessions, to be held in 2010 and 2011. The regional focal point had prepared the position paper based on the elements of the African Core Group and following a consultative process prior to its finalization. The paper was submitted to and introduced at the Regional Implementation Meeting by the regional focal point, the presence of whom had been facilitated by the SAICM secretariat. As a result of joint efforts with the SAICM secretariat, including additional material prepared for the information of the Regional Implementation Meeting, the outcomes adopted at that meeting includes important references to SAICM implementation. The outcomes of the Regional Implementation Meeting are captured in document SAICM/RM.3/INF/4.

7. Moreover, the regional focal point reported on ongoing activities in relation to the implementation of the outcomes adopted by the second session of the International Conference on Chemicals Management, in particular with regard to emerging policy issues. He recalled that the International Conference on Chemicals Management, at its second session held in Geneva, 10 to 15 May 2009, had provided for a project to be implemented on the issue of chemicals in products and that several activities had been launched in that regard, including the circulating of a questionnaire and the convening of a scoping meeting held in Geneva on 18 and 19 December 2009. At that scoping meeting, the following countries from the African region were represented: Comoros, Mali, Nigeria, South Africa and Zambia.

8. He also highlighted ongoing activities in relation to electronic waste, in particular preparations for the workshop envisaged in resolution II/4 adopted by the International Conference on Chemicals Management at its second session. He recalled that the region attached considerable significance and attention to that issue and that one member of the African Core Group, Prof. Oladele Osibanjo, was actively involved in the steering group established for the preparation of the workshop.

9. Furthermore, the regional focal point offered an update on activities undertaken in relation to the development of a strategy for the strengthening of health sector engagement as envisaged by the International Conference on Chemicals Management in resolution II/8. He informed the meeting of consultations that were scheduled to take place on 4 and 5 February 2010 in Ljubljana, Slovenia. Two experts from the African region had been

invited to participate in this meeting, Mr. Ibrahim Longolomoi (Kenya) and Mr. Ernest Mashimba (Tanzania).

10. One participant, representing non-governmental organizations, expressed concerns that non-governmental organizations had not been given sufficient opportunities to participate in and contribute to the activities and processes outlined by the regional focal point.

11. The representative of the secretariat provided an update of activities undertaken by other regions, highlighting that the Asia-Pacific regional meeting on the Strategic Approach, held in Beijing, 23 and 24 November 2010, had agreed that an Asia-Pacific regional coordinating body be established.

IV. Preparations for the African regional meeting on the Strategic Approach

A. Agenda

12. Introducing the item, the representative of the secretariat outlined the provisional agenda that had been developed on the basis of the fourth meeting of the African Core Group, held in Nairobi 20 and 21 August 2009. He apologized for the omission of the agenda item entitled “terms of reference of the African Core Group”, which the African Core Group had foreseen at its fourth meeting and which was accidentally not included in the provisional agenda distributed for the meeting. For practical purposes the representative of the secretariat proposed that the issue of the terms of reference of the African Core Group be introduced and addressed under agenda item 14 dealing with other matters.

13. The chair of the meeting invited meeting participants to examine whether the provisional agenda, as presented, required any adjustments. In the ensuing discussion, meeting participants referred to key substantive issues to be addressed by the regional meeting under various agenda items already envisaged. Several participants highlighted the importance of the Mercury issue to the region and the ongoing negotiations for the development of a legally binding instrument. The meeting noted that the interest in further information being shared on the ongoing negotiation process, which the regional representative at these negotiations agreed to provide at the forthcoming regional meeting under the agenda item 14 concerning other matters.

14. One participant highlighted that the region had an opportunity to formulate input and recommendations for the work on emerging policy issues through the regional meeting. That would apply in particular to those areas and emerging issues the consideration of which the region had promoted at the second session of the International Conference on Chemicals Management. In this regard, she referred to the particular importance the region attached to the issues of electronic waste and nanotechnology, and proposed that the regional meeting should adopt specific recommendations and guidance vis-à-vis current processes and activities for the implementation of resolution II/4 adopted by the Conference at its second session. Guidance to be adopted by the regional meeting could constitute a valuable contribution to the preparation and outcome of the workshop on electronic waste to be held at the margins of the meeting of the Open-ended Working Group of the Basel Convention scheduled for May 2010 and the formulation of a report on nanotechnology for consideration at the Open-ended Working Group of the Strategic Approach at its first meeting to be convened in 2011. She also referred to the importance of the issue of illegal traffic to the region and hence the work of the regional meeting in that regard. Another participant proposed that current activities concerning capacity building and training on electronic waste could be expanded to cover chemicals more broadly, thereby generating synergies, which would also contribute to combating and preventing illegal traffic.

15. With regard to the workshop on electronic waste, one participant expressed concern over the lack of the secretariat's engagement in the organization of the workshop, particularly the raising of necessary financial resources. Such engagement was necessary to ensure the success of the activity, which was requested by the International Conference on Chemicals Management, being the governing body of the Strategic Approach. He added that the secretariat could be expected to assist in fundraising activities for an issue that fell under the purview of the Conference and was a core priority for the region. The representative of the secretariat recalled that in resolution II/4 adopted at its second session, the International Conference had invited specific actors to undertake activities in addressing the emerging issues it had identified and that, while the secretariat stood ready to assist as a conduit of information and otherwise, as appropriate, in the implementation of resolution II/4, it was not mandated to conduct or finance these activities. He furthermore referred to the progress made in the implementation of activities foreseen for the other emerging policy issues. One participant emphasized that in view of the invitation extended by the International Conference to specific actors enumerated in resolution II/4, it would be inappropriate for the secretariat to be called upon for financial or other assistance. He added that the invitation should be seen as an opportunity for the actors concerned to raise additional funds by highlighting the global importance attached to it by the Conference. The meeting agreed that the actors referred to in resolution/II should be called upon to raise the funds necessary for the convening of the workshop on electronic waste, an issue of high priority to the African region.

16. The meeting agreed to prepare proposals and guidance concerning the issues of electronic waste, nanotechnology and illegal traffic for the consideration of the regional meeting. Three working groups were established to develop such proposals and guidance to be submitted to the regional meeting. The proposals, as agreed by the African Core Group for the submission to and consideration by the regional meeting, are contained in annex I, II and III of this report.

B. Organizational matters

17. The meeting agreed that a co-chairing arrangement would be desirable for the third African regional meeting. No other organizational matters were raised.

V. Review of the terms of reference and work plan of the African Core Group (for 2010)

A. Review of the terms of reference of the African Core Group

18. Introducing the agenda item, the representative of the secretariat recalled that the African Core Group had reviewed and revised the terms of reference already at its fourth meeting, held in Nairobi on 20 and 21 August 2009. The fifth meeting would offer an opportunity to review these revisions and introduce additional modifications for the consideration of the third African regional meeting. He added that, while the African Core Group at its fourth meeting had agreed to invite the regional representative at the bureau of the International Conference on Chemicals Management, the arrangement had not yet been reflected in the terms of reference of the African Core Group. The meeting requested the secretariat to make the revision accordingly.

19. In the ensuing debate on any additional revisions that would be required in the view of the African Core Group, meeting participants emphasized the need for regular face-to-face meetings of the Group to prepare adequately for regional and global Strategic Approach meetings as well as facilitate Strategic Approach implementation in the region. One participant emphasized that teleconferences, while useful, were not sufficient to

substitute for face-to-face meetings. Another participant inquired into the process for the designation of meeting hosts and the extent to which such designation could be facilitated by the secretariat. Another participant queried whether observers were admitted to attend meetings of the African Core Group.

20. The representative of the secretariat drew the attention of meeting participants to the prerequisite of the availability of funding, which was contingent on voluntary donor contributions and hence not predictable. He added that offers from Governments and other stakeholders to host meetings of the African Core Group would greatly facilitate the convening of meetings and that the secretariat would offer any assistance necessary in preparing a meeting upon receipt of such an expression of interest. He furthermore referred to the past and continuing practice of the secretariat to facilitate the holding of teleconferences, which had proven a useful means to advance on issues between meetings of the SAICM bodies, such as the African Core Group. With regard to attendance of observers at meetings of the African Core Group, the representative of the secretariat referred to the terms of reference of the African Core Group, which in paragraph 2, lit. c provided for the possibility of inviting technical advisors to participate in meetings. He added, that it was customary to admit the host of the meeting to attend meetings of regional bodies.

21. Based on the debate, the meeting agreed that, subject to the availability of funding, meetings of the African Core Group should be held annually. The meeting noted the need for expressions of interest to host meetings of the African Core Group as well as regional meetings to facilitate the holding of future meetings. The meeting furthermore agreed that the existing provisions of the terms of reference already provided for the participation of representatives other than African Core Group members, where it was deemed necessary. The meeting agreed that the terms of reference would be revised to reflect the modifications agreed upon and submitted to the third African regional meeting on the Strategic Approach for its further consideration. The revised terms of reference, as proposed by the African Core Group for consideration by the third African regional meeting, are attached in Annex IV to the current report.

B. Review of the workplan of the African Core Group

22. Following the recommendation of the chair the meeting commenced consideration of its future workplan by reviewing the implementation of the initial workplan, which the African Core Group had adopted at its fourth meeting for the fourth quarter 2009, as contained in Annex III to SAICM/ACG.4/3. It was noted by one participant that the lack of designation of lead actors had hampered progress in the implementation of the workplan and that several items remained valid as tasks to be undertaken by the African Core Group. Meeting participants shared information on the progress achieved thus far, including with regard to the outputs envisaged under the following items: items 2 (nomination of relevant focal points), item 4 (preparation of third regional meeting), and item 5 (submission of position paper to the Regional Implementation Meeting held under the auspices of the United Nations Economic Commission for Africa). The meeting noted that progress could not be achieved on the development of outputs for item 6 (ongoing liaison, including through the SAICM information clearing house) and item 7 (African comments on the draft guidelines on reporting indicators) since neither the information clearing house nor the draft guidelines on reporting indicators had been available.

23. One meeting participant, representing a non-governmental organization, informed the meeting about progress in the development of a project proposal for training on the use of economic instruments, an output envisaged under item 9 of the workplan. He explained that the proposed framework for activities would foresee separate proposals for training in French and English, and added that further guidance was needed on the modalities for the submission of the respective project proposals. In particular, guidance was required on

whether the project proposals needed to be endorsed by the whole sub-region and by whom the proposals should be formally submitted. The representative of the secretariat informed the meeting that the secretariat would offer the necessary assistance in resolving the issues raised.

24. With regard to item 3 of the workplan, the meeting reviewed and revised the overview of progress on regional priority projects identified in 2006, which the African Core Group had developed at its fourth meeting (Annex II to document SAICM/ACG.4/3). The updated and revised overview of progress on regional priority projects identified in 2006 is contained in Annex VI of the current report.

25. Furthermore, the meeting referred to the status of implementation of the SAICM regional action plan in Africa envisaged under item 10 of the workplan and corresponding outputs. The meeting agreed that the regional focal point would facilitate a process for the revision of the regional action plan, as required. The revised version of the document, which the African Core Group had developed in that regard at its fourth meeting (Annex VI of document SAICM/ACG.4/3), is attached in Annex VII of the current report.

26. Based on the review of progress in the implementation of the initial workplan the African Core Group had adopted for the fourth quarter 2009, the meeting developed and agreed upon the workplan of the African Core Group for 2010, which is contained in Annex V of the current report.

VI. Other matters

27. With regard to the sixth meeting of the African Core Group expressions of interest for hosting that meeting were made by two meeting participants. The meeting agreed that the sixth meeting should be held beginning of 2011, subject to the availability of funding. The work of the Group would continue until then, inter alia, by the holding of teleconferences, where and as necessary.

VII. Closure of the meeting

28. The meeting expressed gratitude to the Government of Spain for the provision of funding for the holding of the meeting.

29. The meeting was adjourned at 16.30 pm on Sunday 24 January 2010 and reconvened at 8.00 am on Wednesday 27 January 2010. Following the customary exchange of courtesies the meeting was declared closed at 10.00 am on Wednesday 27 January, 2010.

Annex I

Recommendations on hazardous substances within the lifecycle of electrical and electronic products by participants in the African regional meeting on implementation of the Strategic Approach to International Chemicals Management, Abidjan, Cote d'Ivoire, 25- 29 January 2010 – Rev 4

Participants in the African regional meeting on the implementation of the Strategic Approach to International Chemicals Management (SAICM),

Mindful that preventing harm to human health and the environment from inputs, products, or wastes containing harmful substances, or that lead to the formation of harmful substances, is an important element of achieving the 2020 goal of the Strategic Approach to International Chemicals Management (SAICM);¹

Reaffirming as proponent along with Peru of e-waste as emerging policy issue that the fate and sound management of chemicals during the life cycle of electrical and electronic equipment and products constitute important elements of the Strategic Approach to International Chemicals Management (SAICM);

Recognizing that near-end-of-life and end-of-life electrical and electronic products are a growing concern as a result of dumping in developing countries, which results in the illegal transboundary movement of their hazardous constituents such as heavy metals and brominated flame retardants;²

Further recognizing that the increased amount of electronic waste arising from the domestic consumption of such products will have an impact on health and the environment unless soundly managed;

Aware that there is a lack of capacity to handle electronic waste in an environmentally sound manner in almost all developing countries and countries with economies in transition especially least developed countries and small island developing States, leading to the release of hazardous substances causing harm to human health and the environment;³

Recalling, the Nairobi Ministerial Declaration on the environmentally sound management of electronic and electrical waste on the occasion of the Eighth meeting of the Conference of the Parties to the Basel Convention and in particular the World forum on e-Waste, which called, inter alia for the promotion of clean technology and green design for e-products, including the phase-out of hazardous substances used in production and included in components and the promotion of product stewardship and extended producers responsibilities in the life-cycle management of electronic and electrical products;

Recalling also, Resolution II/4 of the International Conference on Chemicals Management at its Second Meeting in May 2009 which notes the importance of considering product

¹ SAICM/RM/AP.1/3 Annex V

<http://www.saicm.org/documents/meeting/asiapacific/may%2007/documents/API%203%20report.pdf>

² SAICM II/4 Emerging policy issues

English: <http://www.saicm.org/documents/iccm/ICCM2/ICCM2%20Report/ICCM2%2015%20FINAL%20REPORT%20E.pdf>

French: <http://www.saicm.org/documents/iccm/ICCM2/ICCM2%20Report/ICCM2%2015%20FINAL%20REPORT%20F.pdf>

³ SAICM II/4 Emerging policy issues

stewardship and extended producer responsibility aspects in the life-cycle management of electrical and electronic products;

Noting, in particular, the views as expressed in the Abuja Platform on e-Waste created during the International Conference on e-Waste Control held in Abuja, Nigeria 20-21 July 2009 regarding the special needs of African countries, including the domestication of the Basel Convention into national laws, the operationalization of the Bamako Convention by the African Union and the African Ministerial Conference on Environment (AMCEN) and to address this issue as one of the strongest emerging environmental issues in Africa;

Noting with appreciation the on-going Secretariat of Basel Convention E-waste Africa project funded by the European Union (EU), the United Kingdom, Norway and NVMP, the Dutch Recyclers Organization ; with the goal of building local capacity to address the flow of e-wastes and electrical and electronic products destined for reuse in selected African countries and augment the sustainable management of resources through the recovery of materials;

Noting also with appreciation Resolution II/4 adopted by the International Conference on Chemicals Management at its second session (ICCM2) for a workshop on hazardous substances within the life cycle of electrical and electronic products to be held in the margins of the meeting of the Open-ended Working Group meeting of the Basel Convention scheduled for May 2010;⁴

Welcoming the agreed objectives for the workshop including identifying and assessing where issues relating to the sound management of chemicals arise during the lifespan of electrical and electronic products , including the design of such products, green chemistry, recycling and disposal, in particular in the context of the requirements of the Basel and Stockholm conventions;⁵

1. *Request strongly* that the organizations of the Inter-Organization Programme for the Sound Management of Chemicals (IOMC), 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 should commence arrangements to hold the workshop in accordance with Resolution II/4 of ICCM2, as E-waste continues to remain a top priority environmental problem in the region; and the Workshop should cover among other issues the design, and manufacture of electrical and electronic products; and the repair, refurbishment, and disposal of near-end-of-life and end-of-life electrical and electronic products and take into account the following issues:

- (a) Green design and the eventual phase-out of, harmful substances contained in electrical and electronic products;
- (b) Legislative and voluntary extended producer responsibility and free take-back programs in particular in developing countries and countries with economies in transition, including provisions for employment generation and poverty alleviation in the informal sector;
- (c) Transparency with respect to information on hazardous substances contained in electrical and electronic equipment and products in the workplace and communities around disposal sites; and the tracking through final disposal of wastes and second-hand products by recyclers and manufacturers;

⁴ SAICM II/4 Emerging policy issues

⁵ SAICM II/4 Emerging policy issues

- (d) Use of internationally recognized Accreditation and Certification standards for Recycling that ensure compliance with the Basel Convention and other relevant conventions such as Bamako as well as provide measures for full protection of the environment and human health;
- (e) Protection of workers and community health all throughout the life-cycle of electrical and electronic products from manufacture to recycling and disposal;
- (f) Development and application of harmonized tariff codes, model legislation, and international recycling guidelines and standards to better identify and control near-end-of-life and end-of-life electrical and electronic products and wastes; and to improve cooperation and strengthen organizations working to better enforce the Basel Convention and other rules regarding the control of transboundary movement of such waste and products in cooperation with customs officials and others;
- (g) Capacity building and institutional strengthening to assist developing countries and countries with economies in transition to ensure the implementation of the Bamako, Basel, Stockholm and Rotterdam Conventions as well as the domestication of these conventions into national laws;
- (h) Development of effective policy and regulatory framework to address contaminated sites; and to prevent open dumping and burning of electrical and electronic wastes;
- (i) Effective ban on the transboundary movement and illegal traffic in E-waste from developed countries to developing countries and countries with economies in transition;
- (j) Further capacity building in developing countries and countries with economies in transition, especially least developed countries, for the environmentally sound management including recycling of near-end-of-life and end-of-life electrical and electronic products and wastes;
- (k) Capacity building of the informal sector to harness potential employment generation, economic and entrepreneurship opportunities through training workshops in repair, refurbishment, dismantling/disassembling, and recycling of electrical and electronic products including the identification of hazardous and toxic components in electrical and electronic equipment, including components that are recyclable;
- (l) Establishment of appropriate and relevant demonstration and pilot projects that advance the objectives of the workshop;
- (m) Intense awareness-raising activities and projects for all major stakeholders sectors including the general public, informal sector, politicians, civil society, industry and government.
3. *Request* the workshop to establish a multi-stakeholder working group with representation from all United Nations regions to work intersessionally and prepare recommendations for the SAICM Open-ended Working Group, and the International Conference on Chemicals Management at its third session.
4. *Encourage* synergy with the SAICM Chemicals in Products emerging issue (CiP Project) especially in respect of information on chemicals and toxics within the lifecycle of electrical and electronic products.
5. *Invite* Governments, public and private organizations as well as donors to provide financial and in-kind resources for the successful organization of the workshop, including

financial support especially for the participation of stakeholders from developing countries and countries with economies in transition.

6. *Invite* consideration of the recommendations of the workshop by the SAICM Open-ended Working Group and the International Conference on Chemicals Management at its third session.

Annex II

Proposed resolution on nanotechnologies and manufactured nanomaterials to be considered by participants in the African regional meeting on implementation of the Strategic Approach to International Chemicals Management, Abidjan, Côte d'Ivoire, 25 – 29 January 2010

Participants in the African regional meeting on the implementation of the Strategic Approach to International Chemicals Management (SAICM), convened in Abidjan, Ivory Coast, 25 – 29 January 2010,

Mindful of the overarching goal articulated in Paragraph 23 of the Johannesburg Plan of Implementation to achieve, by 2020, that chemicals are used and produced in ways that lead to the minimization of significant adverse effects on human health and the environment;

Recognizing the potential benefits, new opportunities, as well as hazards, risks, and ethical and social issues posed by manufactured nanomaterials and nanotechnologies;

Recognizing the necessity to address the safety aspects of nanotechnologies before allowing widespread dissemination in the environment of manufactured nanomaterials;

Recognizing the special vulnerability of children, pregnant women and the elderly to the hazards of manufactured nanomaterials;

Considering the special needs that African countries and other developing countries and countries with economies in transition may have in coping with manufactured nanomaterials and wastes containing such materials;

Recognizing that nanomaterials represent an emerging issue of global concern warranting a comprehensive global response, including consideration of appropriate legal/administrative frameworks;

Concerned that production and use of nanomaterials in many countries is increasing rapidly despite the lack of adequate data on human and environmental risks, any national legal/regulatory or a comprehensive global policy framework;

Recalling the Dakar Statement of the Sixth Intergovernmental Forum on Chemical Safety on manufactured nanomaterials;

Further recalling resolution II/4 E on nanomaterials adopted by the International Conference on Chemical Management at its second meeting, which invited “Governments and other stakeholders to develop a report that focuses on nanotechnologies and manufactured nanomaterials including, in particular, issues of relevance to developing countries and economies in transition, and to make the report available to the Open-ended Working Group at its first meeting and to the International Conference on Chemicals Management at its third session”;

Welcoming the OECD/UNITAR workshop, and its key objective of awareness-raising and information sharing for African countries on issues related to nanotechnologies and manufactured nanomaterials;

1. *Recommend* that the report to the Open Ended Working Group (OEWG) and the third session of the International Conference on Chemicals Management mentioned in resolution II/4 E shall include developments and recommendations on:
 - (a) The critical role of the precautionary approach in addressing the issue of nanotechnology and manufactured nanomaterials throughout their life cycle;
 - (b) The easy accessibility of information on the use and risks associated with the life cycle of manufactured nanomaterials to the general public in order to raise awareness and prepare all stakeholders for informed decisions-making;
 - (c) The implementation of the “no data, no market” principle, requiring submission of comprehensive hazard assessment including toxicology and ecotoxicology data prior to introduction into the market and commercialization of nanotechnology applications;
 - (d) The need for the Producers to provide appropriate information about the content of manufactured nanomaterials in order to inform consumers especially in developing countries about potential risks through product labelling and, as appropriate, websites and databases;
 - (e) The role of industry to continuous communication and awareness raising activities within their responsible stewardship programs on environmental and health and safety (occupational) aspects of manufactured nanomaterials including workplace monitoring and instigates further cooperative approaches between industry and stakeholders especially consumers in developing countries;
 - (f) The critical role of the civil society in the African region and hence the need to strengthen their capacity so that it may effectively take part in decision making related to manufactured nanomaterials including developing the capacity for evaluating effectively the potential risks of nanomaterials especially for particularly vulnerable groups, e.g. children, pregnant women and elderly people;
 - (g) The rights of countries to accept or reject the import and use of manufactured nanomaterials to minimize their risks;
 - (h) The ethical and social risks and benefits of nanomaterials, especially in developing countries and countries with economies in transition;
 - (i) Elements of regulatory framework needed to achieve safe management of manufactured nanomaterials, including interim measures such as national codes of conduct leading to global codes of conduct;
 - (j) Aspects of sustainability assessment of nanomaterials throughout their life cycle;
 - (k) The safe handling of waste containing manufactured nanomaterials;
 - (l) The information of workers and users of manufactured nanomaterials throughout the supply chain, including waste handlers;
 - (m) The consultation of workers and their representatives when developing occupational health and safety programs and measures in relation to manufactured nanomaterials;
 - (n) Bio monitoring initiatives of workers exposed to nanomaterials as well as of patient treated with health care products containing nanomaterial;

-
- (o) Consumers right to know and right to choose, including through labelling and the creation of comprehensive public registers of nanomaterials and products containing them;
- (p) Mechanisms and best practices to ensure national capacity building in developing countries and countries with economies in transition, especially least developed countries, for the disposal of nanomaterials and handling of waste containing manufactured nanomaterials;
- (q) The involvement of the health sector in decisions and policy-making on nanotechnologies and manufactured nanomaterials.
2. *Require* that wastes containing nanomaterials are not transferred to countries that lack the capacity to adequately manage them.
3. *Recommend* that the report on nanotechnologies and manufactured nanomaterials for the OEWG and the third session of the International Conference on Chemicals Management include both differing and consensual points of view.
4. *Encourage* the formation of a multi-stakeholder working group with representation from all United Nations regions to develop the report for the OEWG and the third session of the International Conference on Chemicals Management.
5. *Invite* Governments and organizations in a position to do so to provide financial and in-kind resources for development of the report including support for developing and transition country government representatives, health sector representatives, trade union representatives and public interest non-governmental organizations.
6. *Invite* countries and organizations to establish partnerships, with consideration of financial support, to assist developing countries and countries with economies in transition to build scientific, technical, legal, and regulatory policy expertise related to the risks of manufactured nanomaterials.
7. *Invite* countries and organizations to establish partnerships, with consideration of financial support for bio-monitoring initiatives of exposed population (workers as well as patient treated with health care products containing nanomaterial,
8. *Encourage* countries to set up and enforce legal provisions to ensure safe practices with regard to production, use, transport and disposal of nanoparticles and nanomaterials,
9. *Encourage* the international community to continue activities to develop, fund, and share effective research strategies on potential risks to human health and the environment.
10. *Encourage* Intergovernmental organizations and other relevant organizations to consider how they may assist governments to implement these recommendations.
11. *Encourage* Research Institutions in Developing Countries and Countries with economies in transition to initiate research in nanomaterials for the purpose of creating local capacities to advise their government on issues related to nanomaterials.

Annex III

Recommendations on Illegal International Traffic in Toxic and Dangerous Products

Participants in the African regional meeting on the implementation of the Strategic Approach to International Chemicals Management (SAICM), convened in Abidjan, Ivory Coast, 25 – 29 January 2010,

Noting that illegal international traffic in hazardous chemicals remains a particular problem for the African region;

Recognizing the challenges of fragmentation and un-coordination of interventions by African countries;

Concerned that despite international efforts over the past 20 years, illegal traffic remains a significant and growing challenge in the region, including due to the existence of limited capacity to institute and enforce control measures;

Further concerned that African countries do not have domestic legislation to provide customs and environmental officials with the necessary powers to detain and to return containers of illegal shipments.

Equally concerned about lack of good communication, collaboration and information sharing mechanism among countries in the region which is essential for preventing illegal shipments.

Recalling Chapters 19, 20 of Agenda 21 and paragraph 23(e) of the Johannesburg Plan of Implementation;

Mindful of the lack of domestication and implementation of the Bamako Convention on the Ban of the Import into Africa and the Control of Transboundary Movement and Management of Hazardous Wastes within Africa (1991) in addition to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal in the region;

Furthermore recalling that combating the illegal international traffic in hazardous chemicals is one of the five objectives set out in the Overarching Policy Strategy of the Strategic Approach to International Chemicals Management, which in paragraph 18 calls for actions;

- (a) To prevent illegal international traffic in toxic, hazardous, banned and severely restricted chemicals, including products incorporating these chemicals, mixtures and compounds and wastes;
- (b) To strengthen mechanisms and domestic and regional implementation supporting existing multilateral agreements that contain provisions relating to the prevention of illegal international traffic;
- (c) To promote information sharing and to strengthen the capacity of developing countries and countries with economies in transition at the national and regional levels for the prevention and control of illegal international traffic.

Mindful that further action is hence needed to tackle the growing challenges posed by illegal traffic in the region.

Recalling the Probo Koala grave incident (2006) in Cote d'Ivoire where tons of chemicals waste from a European country was dumped in various sites around Abidjan, resulting in deaths and 44,000 casualties.

1. *Recommends* that activities should be undertaken to support the achievement of the SAICM objectives relating to illegal international traffic in hazardous chemicals and *encourage* relevant stakeholders to develop proposals in support of such activities at the regional, sub-regional and national levels targeted at strengthening the prevention or control of illegal traffic in Africa.
2. *Encourage* relevant stakeholders to consider and give priority to the following:
 - (a) African States should ratify and implement the Bamako Convention on the Ban of the Import into Africa and the Control of Transboundary Movement and Management of Hazardous Wastes within Africa; and also implement effectively the Basel Convention on the Control of the Transboundary Movement of hazardous wastes and their disposal.
 - (b) To develop and implement capacity building training programmes for custom officers, environment enforcement officers, relevant security agencies and judges that will result in the improvement of enforcement and the control of the illegal traffic in hazardous chemicals .
 - (c) Conduct assessment of outcomes of existing programmes and successful pilot projects with intention of replicating or modifying them to address the gaps.
 - (d) Establishment and/or strengthening of analytical national or sub-regional and regional laboratories for analysis of imported chemicals as well as capacity to respond to the incidents and consequences of illegal traffic and dumping including activities to clean up and restore contaminated sites.
 - (e) To create a functional and sustainable network of enforcement officers at both national and regional level with efficient mechanism for good communication, collaboration, information sharing and alert trigger on cases of illegal traffic
 - (f) Conduct capacity building programmes in emergency preparedness and response at both national and regional levels
 - (g) Conduct research, at the national or sub-regional level, on illegal traffic c with an emphasis on its scope, nature, drivers, factors and extent and actions to address the problem.
 - (h) Develop national legislation to provide customs and environmental officials with the necessary powers to detain and to return containers of illegal shipments. A model of law that could be adapted by each country should be developed.
 - (i) Development of regional monitoring and information network to assist in information sharing, information flow and serve as a database for all relevant materials on illegal traffic in the region.

Annex IV

Composition, procedures and terms of reference of the African Core Group on SAICM

1. The African Core Group on the Strategic Approach to International Chemicals Management (SAICM) comprises the following members:
 - (a) The African SAICM regional focal point;
 - (b) Two Government representatives from each of the five African subregions (North, East, South, West and Central);
 - (c) The regional representative at the Bureau of the International Conference on Chemicals Management;***
 - (d) The two African Government regional representatives on the SAICM Quick Start Programme Executive Board;
 - (e) One representative from each of the following three sectors of civil society: industry, labour and public interest;
 - (f) One representative of a key regional organization (for example, one that has region-wide responsibilities relevant to the sound management of chemicals) to be determined from time to time;
 - (g) One representative from a participating organization of the Inter-Organization Programme for the Sound Management of Chemicals with a significant regional chemical safety program;
 - (h) The immediate past African SAICM regional focal point.
2. The working procedures of the African Core Group on SAICM are:
 - (a) To the extent possible, to undertake its work through correspondence, teleconferencing and, whenever eight or more members attend the same chemicals or wastes-related forum, meetings in person to reach consensus on issues of current concern. **Subject to the availability of funding and without detriment to the foregoing, the African Core Group shall strive to convene in person at least once a year;***
 - (b) To use English as the working language of the Group. The provision of interpretation during meetings shall be decided on a case-by-case basis, but whenever possible the language difficulties of the region shall be taken into account;
 - (c) To designate alternates or technical advisers to participate in meetings as required in order to ensure continuity and involvement.
3. The roles and responsibilities of the African Core Group on SAICM are:
 - (a) To provide technical assistance in the formation of regional and subregional project proposals as requested by the African SAICM regional focal point;
 - (b) To assist the regional focal point in harmonization and follow-up efforts intersessionally;
 - (c) To review, from time to time, the SAICM Global Plan of Action for the purpose of adapting it to national and regional priorities;

* Draft revision as proposed by the African Core Group.

(d) To prepare, in collaboration with the regional focal point, materials and agendas for regional meetings;

(e) To assist the regional focal point in preparing draft regional position papers for submission to the African Ministerial Conference on the Environment and the International Conference on Chemicals Management;

(f) To serve, through members of the Group, as conduits for the views of subregions on SAICM implementation;

(g) To facilitate reporting on SAICM implementation in Africa and on the provision of resources to support such implementation;

(h) To facilitate African promotion of the establishment of a new chemicals management focal area in the Global Environment Facility;

(i) To facilitate the promotion and adoption of national economic instruments that can help to cover the cost of sound chemicals management;

(j) To coordinate implementation of the Regional Action Plan for the Implementation of SAICM in Africa, including by facilitating the full involvement of all stakeholders, coordination and cooperation, communication with other regional coordinators and the SAICM secretariat, progress reporting on implementation of the Regional Action Plan and information exchange within the African region and with other regions and by identifying and mobilizing available African institutional support, for example from the African Union, the New Partnership for Africa's Development, the African Development Bank, the United Nations Economic Commission for Africa and the African Ministerial Conference on the Environment.

4. Members of the African Core Group shall be elected at each session of the International Conference on Chemicals Management and shall serve until the close of the following session of the Conference.

Annex V

AFRICAN CORE GROUP ON SAICM
WORK PLAN for 2010

No	Activities	Lead actors ⁶ to support the Regional Focal Point	Deadline	Outputs
1	To provide technical assistance in the formation of regional and subregional project proposals as requested by the African SAICM regional focal point	BCRC [supported by IPEN, ITUC, South Africa] Assistance from: UNITAR for GHS activities and UNEP/UNDP for mainstreaming	June 2010 (at least one project proposal)	Proposals for regional or sub-regional projects on GHS, mainstreaming and heavy metals
2	To assist the regional focal point in harmonization and follow-up efforts intersessionally.	All Ghana (re FAO), UNEP, WHO	Annually	Ghana reported on the nomination of a SAICM focal point at the FAO regional office in Accra SAICM secretariat reported on SAICM focal points in UNEP and WHO African regional offices
3	To review, from time to time, the SAICM Global Plan of Action for the purpose of adapting it to national and regional priorities.	All	Annually	Progress on regional priority projects summarized in Annex VII below.
4	To prepare, in collaboration with the regional focal point, materials and agendas for regional meetings.	All	Next (sixth) ACG meeting	Draft agenda for the African regional meeting preceding the OEWG and/or ICCM3
5	To assist the regional focal point in preparing and presenting draft regional position papers for submission to key regional and global meetings.	All	Annually	Briefing/position paper for use by regional focal point at African CSD/Regional Implementation Meeting (RIM) in Addis Ababa, October 2009 Nomination of an additional ACG member to accompany the regional focal point to the CSD/RIM meeting, subject to the

⁶ The regional focal point will be involved in all activities as coordinator and adviser

No	Activities	Lead actors ⁶ to support the Regional Focal Point	Deadline	Outputs
				availability of funding
6	To serve, through members of the Group, as conduits for the views of subregions on SAICM implementation	All	Annually	Ongoing liaison, including through the mechanism of the new SAICM information clearing house when available
7	To facilitate reporting on SAICM implementation in Africa and on the provision of resources to support such implementation	Kenya, Nigeria, South Africa, IPEN	September 2010	African comments (facilitated by ACG) on the draft guidelines on reporting indicators
8	To facilitate African promotion of the establishment of a new chemicals management focal area in the Global Environment Facility	All	Next (sixth) ACG meeting	Ongoing liaison with African GEF Council members
9	To facilitate the promotion and adoption of national economic instruments that can help to cover the cost of sound chemicals management	BCRCC, IPEN, South Africa	End of February 2010	Draft proposal for training on the use of economic instruments
10	To coordinate implementation of the Regional Action Plan for the Implementation of SAICM in Africa.	All	Annually	Status of implementation of the SAICM regional action plan in Africa in Annex VIII below
	To facilitate the full involvement of all stakeholders, coordination and cooperation, communication with other regional coordinators and the SAICM secretariat	All	Annually	
	To report progress on implementation of the Regional Action Plan and information exchange within the African region and with other regions.	All	Annually	
	To identify and mobilize available African institutional support, for example from the African Union, the New Partnership for Africa's Development, the African Development Bank, the United Nations Economic Commission for Africa, the African Ministerial Conference on the Environment, SADC and other development banks	RFP with the help of the SAICM secretariat	July 2010	

Annex VI

Summary of progress made on possible regional priority projects identified in 2006*

No	Priority	Regional	Sub-regional	National	Civil Society	Private sector	Comments
1	Implementation of the Globally Harmonized System of Classification and Labelling of Chemicals, including capacity-building, training of various workers (maritime workers, industrial workers, farmers)		X	X		X	SADC ECOWAS Standards approach
2	Capacity-building for an integrated management system to implement SAICM	X	X	X	X	X	
3	Illegal traffic of chemicals and waste, including training of customs officials on the control of international illegal traffic in toxic substances			X			
4	Development of a subregional approach to identifying and managing priority chemicals of concern such as mercury, cadmium and lead	X	X	X			Not Cadmium
5	Development of a subregional approach for hazardous waste disposal		X				Through Basel Centre
6	Implementation of a harmonized pesticides registration system		X	X			ECOWAS, CILSS, SEARCH and Mauritania

* Additions to overview developed by the African Core Group at its fourth session are highlighted in bold. The previous document, as adopted by the African Core Group at its fourth session, is contained in Annex II to document SAICM/ACG.4/3.

7	Issuing and updating of national chemical profiles			X		X	ASP and Quick Start National Implementation Plan
8	Development and improvement of chemical laboratory capacity, including reference laboratories and obtaining accreditation to verify competency		X	X			SADC Accreditation System
9	Establishment of a subregional poison centre network						
10	Establishment of a subregional database for sharing information on hazards, risks, training material, etc					X	SADC SAICM
11	Establishment of indicators of implementation						Done (ICCM2 adopted reporting indicators)
12	Capacity-building and training for strategic chemicals management	X	X	X	X	X	Various
13	Harmonization of regulations on the control and management of chemicals and wastes		X	X			EAC - 10 Regulations identified SADC GHS
14	Establishment of early warning systems and emergency response systems and development of facilities including a database to deal with chemical accidents and other chemicals-related emergencies		X	X		X	Emergency response Systems
15	Chemicals in products				X		Chemicals in milk
16	Electronic-waste		X	X	X		Civil society has initiated assessment activities
17	Unlocking funding			X			

	nationally, regionally and internationally						
18	Reporting on progress against indicators						

The above table reflects a summary of some of the priorities which illustrates that Africa had made the following progress:

- Substantive efforts through government, civil society and the private sector, including through SAICM Quick Start Programme projects, with regard to capacity building to implement SAICM and training for strategic chemicals management, developing regional positions for mercury and lead as well as developing sub-regional approaches to hazardous waste (Priority areas 2, 4, 5, 11 and 12).
- Limited sub-regional efforts were made with regard to the Globally Harmonized System of Classification and Labelling of chemicals, harmonized pesticide registers, chemicals testing and laboratory accreditation, databases for sharing information and harmonization of regulations (Priority areas 1, 6, 10, 13).
- Some national activities were made with regard to chemical laboratory capacity (Priority area 8).
- Some national activities were made with regard to emergency response systems and updating national profiles (Priority areas 7 and 14).
- Activities were initiated at the national level on illegal traffic and waste (Priority area 3).
- No activities were initiated on the establishment of sub-regional poison centers (Priority area 9).
- Limited activities were initiated on early warning systems at the sub-regional level (Priority area 14).
- Some activities at regional, sub-regional and national levels have been initiated in relation to e-waste, including through civil society (Priority area 16).
- Some activities at national level were initiated to unlock funding through mainstreaming (Priority area 17).
- New priorities that were identified were reporting for 2012, e-waste, chemicals in products and liberating funds for activities (Priority area 15, 16, 17 and 18).

Acronyms:

ASP: African Stockpile Programme

CILSS: Comité Inter-Etats pour la Lutte contre la Sécheresse au Sahel

EAC: East African Community

ECOWAS: Economic Community of West African States

GHS: Globally Harmonized System of Classification and Labelling of Chemicals

SADC: Southern African Development Community

Annex VII

VIEWS ON STATUS OF IMPLEMENTATION OF THE SAICM REGIONAL ACTION PLAN

The African Core Group (ACG) at its fourth meeting, held in Nairobi on 20 and 21 August 2009, and at its fifth meeting, held in Abidjan on 24 January 2010, reviewed the status of implementation of the African regional action plan for the implementation of the Strategic Approach to International Chemicals Management (SAICM) and agreed as follows:

1. There is an urgent need to ensure that the regional action plan serves as a living document to facilitate the implementation of SAICM at the national, sub-regional and regional levels.
2. The concept of “mainstreaming of sound management of chemicals into national, sub-regional and regional planning and sustainable development strategies” should be introduced as a core component of the regional action plan principles and approaches.
3. The regional focal point should be supported by the SAICM secretariat to identify and mobilize available institutional support at both sub-regional and regional levels, for example from the African Union, the African Development Bank, Economic Commission of West African States, the South African Development Community, the Arab Maghreb Union, etc to sustain the effective implementation of SAICM.
4. The regional focal point should maintain active communication and engagement of National Focal Points on their specific roles in implementation of the regional action plan.
5. Capacity to implement SAICM should be strengthened through effective partnerships.
6. There is a need to review targets and timeframe for activities under the five SAICM objectives to reflect the particular circumstances of African countries with respect to the low levels of implementation and achievement of targets.
7. There is a need to catalyse actions and activities within the regional action plan to ensure the fulfilment of the 2020 goal.
8. There are inadequate human, technical and financial capacities with national government to meet the set targets.
9. A revised regional action plan should be developed inter-sessionally for presentation and potential adoption at the next full regional meeting. The regional focal point should facilitate, through a consultative process, the revision by seeking comments on the regional action plan and preparing a draft revision for further consideration at the regional meeting. The consultative process should include circulation of a draft revision to the members of the African Core Group and subsequent discussion, such as through a teleconference to be facilitated by the SAICM secretariat.
10. The regional focal point should be actively involved in the mechanism for monitoring reporting and evaluation of the progress of the regional action plan in close collaboration with the African Core Group.