
International Conference on Chemicals Management

Third session

Nairobi, 17–21 September 2012

Item 4 (e) of the provisional agenda*

**Implementation of the Strategic Approach
to International Chemicals Management:
emerging policy issues**

**Progress on emerging policy issues and managing
perfluorinated chemicals and the transition to safer alternatives**

Note by the secretariat

I. Introduction

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 within 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) Proposed additions to the Global Plan of Action of the Strategic Approach to International Chemicals Management (see SAICM/ICCM.3/3);
 - (b) Progress report on the implementation of resolution II/4 B on lead in paint (see SAICM/ICCM.3/14) and business plan of the Global Alliance to Eliminate Lead Paint (see SAICM/ICCM.3/INF/21);
 - (c) Progress report on the chemicals in products project, including proposed recommendations for further international cooperative action (see SAICM/ICCM.3/15);
 - (d) Progress report on hazardous substances in the life cycle of electrical and electronic products (see SAICM/ICCM.3/16);
 - (e) Progress report on nanotechnologies and manufactured nanomaterials (see SAICM/ICCM.3/17);

* SAICM/ICCM.3/1.

(f) Progress report on managing perfluorinated chemicals and the transition to safer alternatives (see SAICM/ICCM.3/18).

4. At its first meeting, held in Belgrade from 15 to 18 November 2011, the Open-ended Working Group of the Conference reviewed progress made on emerging policy issues and perfluorinated chemicals. In accordance with its functions,¹ the Working Group adopted decision OEWG.1/3 on emerging policy issues, transmitting to the Conference at its third session a draft omnibus resolution for its consideration and possible adoption (see annex).

II. Possible action by the Conference

5. The Conference, taking into account continuing work on existing emerging policy issues and on managing perfluorinated chemicals, and the need to complete that work, 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 adopt an omnibus resolution on emerging policy issues, taking into consideration decision OEWG.1/3;
- (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 provide feedback on the proposed programme of work of the global perfluorinated chemicals group;
 - (iii) To submit nominations for members of the global perfluorinated chemicals group as requested at the forty-fourth joint meeting;
- (c) To review and consider decision OEWG.1/3 on emerging policy issues.

III. Background

6. One of the functions of the International Conference on Chemicals Management set out in paragraph 24 (j) 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.

7. In its resolution II/4 the Conference requested the secretariat to report 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.

8. Recognizing the relevance of existing programmes and activities and wishing to avoid the duplication of work, the Conference at its second session 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);

¹ In paragraph 2 (b) of its resolution II/6 on the establishment of an open-ended working group, the Conference decided that the working group would continue discussion on work on emerging policy issues.

(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 the Organization for Economic Cooperation and Development (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).

9. 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.

10. 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.

IV. 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

11. In its resolution II/4, the International Conference on Chemicals Management called 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. Raising awareness of toxicity to human health and the environment and 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 frameworks;

(b) In respect of chemicals in products:

- (i) Implementation of a UNEP-led project:
 - a. To collect and review existing information on information systems pertaining to chemicals in products, including but not limited to regulations, standards and industry practices;
 - b. To assess that information in relation to the needs of all relevant stakeholders and identify gaps;
 - c. To develop specific recommendations for actions to promote implementation of the Strategic Approach with regard to such information, incorporating identified priorities and access and delivery mechanisms;
- (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) Develop, plan and convene, within available resources, a workshop to identify and assess issues relating to chemicals management based on a life-cycle approach, 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;
 - (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 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) Use of upcoming regional, subregional, national and other meetings to further increase understanding of such information,
 - (ii) Development of a report focusing, in particular, on issues of relevance to developing countries and countries with economies in transition.

12. With regard to managing perfluorinated chemicals and the transition to safer alternatives, in its resolution II/5 the Conference called 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 towards global elimination, where appropriate and technically feasible.

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

13. Progress in relation to the emerging policy issues identified in resolution 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

14. UNEP and WHO have established a partnership that is known as the Global Alliance to Eliminate Lead Paint. 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 and a second meeting to focus on promoting and catalysing collaborative work in accordance with the business plan for the Global Alliance;
- (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, advocacy work and surveys to identify potential formal contributors to the partnership, including through side events at Strategic Approach regional meetings and the first meeting of the Open-ended Working Group, and to help establish a baseline on where lead paint is used and what is known about lead in paint;
- (e) Completing an operational framework for the working arrangements of the Global Alliance, an inter-organization agreement setting out the scope of cooperation between UNEP and WHO, and a business plan for the Global Alliance.

15. A progress report on the implementation of resolution II/4 B on lead in paint was considered by the Open-ended Working Group at its first meeting. A draft resolution was recommended for adoption by the Conference at its third session. The report on progress in the implementation of the provisions of resolution II/4 on lead in paint considered by the Working Group has been further updated to reflect progress achieved since that time and is contained in document SAICM/ICCM.3/14. A copy of the business plan for the Global Alliance to Eliminate Lead Paint is contained in document SAICM/ICCM.3/INF/21.

2. Chemicals in products

16. 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.

17. 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/ICCM.3/INF/20 sets out a synthesis of the four sector case studies and the expert consultation.

18. 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/ICCM.3/INF/19.

19. At its first meeting, the Open-ended Working Group considered the progress report on the Chemicals in Products project report, including proposed recommendations for further international cooperative action. The Open-ended Working Group generally expressed its appreciation for the work and progress of the project to date, and its support for continuing activities on this emerging issue. The Working Group commented on and requested further information on a number of issues and modified the proposed recommendations accordingly. It also noted that further discussion was needed, as indicated in the modified recommendations. The progress report on the Chemicals in Products project, including the recommendations as modified by the Working Group, is set out in document SAICM/ICCM.3/15.

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

20. The United Nations Industrial Development Organization (UNIDO) 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/ICCM.3/INF/24.

21. A report on activities in relation to hazardous substances within the life cycle of electrical and electronic products is set out in document SAICM/ICCM.3/16, which includes the draft resolution arising from the above-mentioned workshop considered by the Open-ended Working Group at its first meeting. The report has been updated by the project proponents to reflect progress achieved and to include the resolution recommended for adoption by the Open-ended Working Group.

4. Nanotechnologies and manufactured nanomaterials

22. 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 countries with economies in transition, has been coordinated by the Strategic Approach secretariat. A summary of these activities is provided in document SAICM/ICCM.3/17. The full report on the third area of work referred to above is provided in document SAICM/ICCM.3/INF/18. In addition, the Food and Agriculture Organization of the United Nations and WHO monitor developments in the nanotechnology area relevant to food safety for future activities.

5. Managing perfluorinated chemicals and the transition to safer alternatives

23. 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) Establishment of a global perfluorinated chemicals group that has developed a draft programme of work.

24. 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 9 above, is set out in document SAICM/ICCM.3/18.

V. **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**

25. 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.

26. This recognition is embodied in the Plan of Implementation of the World Summit on Sustainable development,² 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.

27. In the outcome document of the United Nations Conference on Sustainable Development,³ held from 20 to 22 June 2012 in Rio de Janeiro, Brazil, Heads of State and Government and high-level representatives recognized that the sound management of chemicals was crucial for the protection of human health and the environment, and that growing global production and use of chemicals and their prevalence in the environment called for increased international cooperation. They reaffirmed their aim to achieve, by 2020, the sound management of chemicals throughout their life cycle and of hazardous wastes in ways that lead to minimization of significant adverse effects on human health and the environment, as set out in the Johannesburg Plan of Implementation, and called for the effective implementation and strengthening of the Strategic Approach as part of a robust, coherent, effective and efficient system for the sound management of chemicals throughout their life cycle, including to respond to emerging challenges.

28. The Conference 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 resolution II/4 B, a business plan for the Global Alliance to Eliminate Lead Paint, with clear articulation of milestones for measuring progress in achieving a global phase-out of lead paint, has been finalized and will significantly contribute to the achievement of the 2020 goal.

30. Three factors have been identified by UNEP and WHO in document SAICM/ICCM.3/14 as critical to attaining the overall goal and specific objectives of the Global Alliance: engagement with Governments, private-sector commitment and financial support. The second meeting of the Global Alliance to Eliminate Lead Paint, held in Bangkok from 9 to 11 July 2012, provided an opportunity for

2 *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.

3 A/CONF.216/L.1, paras. 213–223.

specific outreach with more than twenty Governments that expressed an interest in engaging in the work of the Global Alliance.

31. In reviewing the progress achieved on lead in paint, the Conference 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 with a focus on the elimination of lead paint.

B. Chemicals in products

32. Raising awareness regarding the chemicals that 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.

33. UNEP, in consultation with members of the project steering group, developed recommendations relating to information exchange on chemicals in products for the consideration of the Open-ended Working Group at its first meeting and the Conference at its third session. Following discussions, the Working Group suggested amendments to the recommendations, which were later endorsed in its decision OEWG.1/3, section B. Notably, the recommendations call for the development of a proposal for an international programme for information on chemicals in products with the overall goal of facilitating and guiding the provision and availability of, and access to, information on chemicals in products among all stakeholder groups, and the main objective of facilitating the development, expansion and implementation of information systems on chemicals in products throughout their life cycles. The recommendations were also amended to include the suggestions that additional stakeholder groups and small expert groups could become involved in the project (i.e., for the purpose of providing the required technical expertise to the Chemicals in Products project) and that the existing steering group could be extended as necessary.

34. The Conference may wish to consider the recommendations set out in section B of decision OEWG.1/3 in the light of the 2020 goal and the Overarching Policy Strategy objective on knowledge and information.

C. Hazardous substances within 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 D, the Conference may wish to consider section C of decision OEWG.1/3, the recommendations emanating from the workshop held in Vienna in March 2011, and the continuing work under the Basel Convention.

D. Nanotechnologies and manufactured nanomaterials

37. 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.

38. 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.

39. In accordance with section E of resolution II/4, the secretariat commissioned a report on nanotechnologies and nanomaterials with a focus on issues of relevance to developing countries and countries with economies in transition. The recommendations contained in the report were considered by the Open-ended Working Group at its first meeting. The Working Group endorsed some of those recommendations in section D of its decision OEWG.1/3, including facilitation of information

exchange on nanotechnologies and manufactured nanomaterials among stakeholders, including risk assessments, risk reduction measures and information on environment, health and safety research; development of international technical and regulatory guidance and training materials for the sound management of 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.

40. In reviewing progress achieved in relation to nanotechnologies and manufactured nanomaterials, the Conference may wish also to consider the information provided in the secretariat's report on nanotechnologies and developing countries (SAICM/ICCM.3/INF/18) . The Conference may wish to consider section D on nanotechnologies and manufactured nanomaterials of the draft resolution set out in the annex to decision OEWG.1/3.

E. Managing perfluorinated chemicals and the transition to safer alternatives

41. 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, which has developed a draft workplan for the consideration of the Conference. In reviewing progress, the Conference may wish to provide feedback on the programme of work for 2012–2015 of the global perfluorinated chemicals group. The Conference is also invited to submit further nominations for members of the group.

F. Conclusions

42. Good progress has been made in relation to the implementation of resolutions II/4 and II/5. The actions called for under each resolution have largely been accomplished. Nonetheless, recommendations for further action signal that considerable new and additional 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.

Annex

Decision OEWG.1/3: Emerging policy issues

The Open-ended Working Group,

Recalling resolution II/6 of the International Conference on Chemicals Management,

Transmits to the International Conference on Chemicals Management at its third session, for its consideration and possible adoption, the draft resolution set out in the annex to the present decision, bearing in mind that it does not necessarily represent agreement among participants, contains divergent views where indicated and is subject to further deliberations by the Conference.

Annex

Resolution III/[]: Emerging policy issues

A

Lead in paint

The Conference,

Recalling the decision taken at the World Summit on Sustainable Development to protect children's health from exposure to lead as set out in paragraph 57 of the Summit's Plan of Implementation,¹

Having reviewed the implementation of resolution II/4 B, on lead in paint, of the International Conference on Chemicals Management, and the endorsement in that resolution of a global partnership to promote the phasing out of the use of lead in paint,

Noting the establishment by the United Nations Environment Programme and the World Health Organization of the Global Alliance to Eliminate Lead Paint as the global partnership referred to in resolution II/4 B,

Welcoming section I of decision 26/3, on lead and cadmium, of the Governing Council of the United Nations Environment Programme, by which the Governing Council requested the Executive Director, among other things, to continue to promote and facilitate work in relation to the Global Alliance to Eliminate Lead Paint,

1. *Welcomes* the establishment of the Global Alliance to Eliminate Lead Paint by the United Nations Environment Programme and the World Health Organization, and the report on its progress to date;²
2. *Also welcomes* the completion of the business plan for the Global Alliance, which includes specific goals, clear milestones and indicators for progress in achieving a global phase-out of lead in paint;
3. *Recognizes* that national initiatives to eliminate lead paint serve also as an example of a practical enabling demonstration of the implementation of the Strategic Approach to International Chemicals Management;
4. *Welcomes* the support for the Global Alliance expressed by participants at regional meetings of the Strategic Approach in Africa, Latin America and the Caribbean, and Asia and the Pacific;
5. *Also welcomes* the support provided to the Global Alliance by the Global Environment Facility as part of its strategy on sound chemicals management;
6. *Encourages* all Governments, civil society organizations and the private sector to contribute to the Global Alliance's work and to provide technical and financial assistance wherever possible;

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.

2 This footnote will refer to a pre-session document providing a progress report.

7. *Expresses support* for the Global Alliance's proposal to establish an international lead poisoning prevention day of action, with initial focus on the elimination of lead in paints, and encourages all Governments, industry and civil society organizations in all regions to organize related activities in cooperation with the Global Alliance;

8. *Invites* the United Nations Environment Programme and the World Health Organization, as secretariat of the Global Alliance, to report on progress in the implementation of the business plan of the Global Alliance to the International Conference on Chemicals Management at its fourth session.

B

Chemicals in products

The Conference,

[Recalling that at its second session, in 2009, the International Conference on Chemicals Management adopted resolution ^{II/4 C} to implement a project with the overall objective of promoting the implementation of paragraph 15 (b) of the Overarching Policy Strategy of the Strategic Approach to International Chemicals Management, and that would, among other things, develop recommendations for further international cooperative action for consideration by the Conference at its third session, in 2012,

[Recognizing that continued international cooperation is essential to increase stakeholders' access to information on chemicals in products throughout their life cycle and that prompt, concerted action is needed to promote harmonization, thereby avoiding an uncoordinated patchwork of information systems and maximizing compatibility with existing systems and benefits to all relevant stakeholders,

[Welcoming the initiatives taken by Governments, industry, non-governmental organizations and others to facilitate the exchange of information on chemicals in products in some areas,

[Acknowledging with appreciation the progress made in undertaking the specific tasks set out to meet the goals of this first phase of the project, including the survey, the results of the case studies, the synthesis report and the results and conclusions of the meetings held since the second session of the International Conference on Chemicals Management,

[Having considered the results of the project activities and especially of the international workshop of the chemicals in products project held in March 2011 and the proposals for elements, as specified in the annex to the present resolution, to include in a framework to facilitate information flow on chemicals in products,

[1. *Agrees*, with a view to taking appropriate cooperative actions, to address the need to improve availability of and access to relevant information on chemicals in products in the supply chain and throughout their life cycle, recognizing the need for further action to contribute to the overall objective of the Strategic Approach that by 2020 chemicals are used and produced in ways that minimize significant adverse effects on human health and the environment;

[2. *Decides* that the multi-stakeholder process established by the Conference at its second session should be expanded, subject to available resources, with a mandate to develop a proposal for an international programme for information on chemicals in products (hereinafter "the chemicals in products programme") with the overall goal of facilitating and guiding the provision, availability and access to information on chemicals in products among all stakeholder groups, and the main objective of facilitating the development, expansion and implementation of information systems on chemicals in products throughout their life cycle, including by building on experiences and work undertaken to identify and address the gaps and obstacles faced by stakeholders in gaining access to or providing information on chemicals in products;

[3. *Recommends* that a proposal for the chemicals in products programme should take into account the Globally Harmonized System of Classification and Labelling of Chemicals, avoid any duplication of efforts under that system and provide for the future development of general and sector-specific guidance or guidelines to support stakeholders' implementation of the programme;

[4. *Urges* the proposed the chemicals in products programme to take into consideration major stakeholders and their specific needs identified during the first phase of the chemicals in products project, taking into account the elements suggested at the workshop of the chemicals in products project and as set out in the annex to the present resolution;

[5. *Underlines* that the the chemicals in products programme should identify the roles and responsibilities of the major stakeholder groups while providing for flexible and differentiated

approaches to meet the needs of individual sectors and individual stakeholder groups, including through flexible and adaptable guidance, both general and sector-specific, on what information can be transferred and how information access and exchange can take place by considering best practices and taking successful experiences, progress and developments into account;

[6. *Suggests* that the multi-stakeholder process continue to be advised by the steering group established under resolution II/4 C, and that attention be paid to the inclusion in the steering group of further stakeholder groups as necessary;

[6 bis. *Also suggests* that the multi-stakeholder process could include small expert groups to explore issues in order to, for example, develop sector-specific guidelines and activities, exchange experiences across sectors and share, develop and implement best practices;

[7. *Urges* the chemicals in products programme to take into consideration stakeholder needs in relation to and accessibility of information on chemicals, in addition to best practices for providing access to that information, taking full account of paragraphs 15 (a)–(c) of the Overarching Policy Strategy;

[8. *Calls for* cooperative action during the development of the chemicals in products programme to implement pilot projects, taking into account needs for information on chemicals throughout product life cycle and situations in developing countries, to demonstrate the applicability of the programme in one or more sectors;

[9. *Urges* that due attention be paid to the special needs of developing countries and countries with economies in transition, including in terms of financial assistance, capacity-building and training, and improved access to technology;

[10. *Encourages* industry or business organizations, Governments, regional economic integration organizations, intergovernmental organizations and other international organizations, non-governmental and civil society organizations and academic institutions actively to participate in the development of the proposal for the chemicals in products programme with a view to facilitating information flow on chemicals in products, including associated pilot demonstration project(s);

[11. *Urges* the private sector, Governments, intergovernmental and non-governmental organizations to provide adequate human, financial and in kind resources on a voluntary basis to support the development of a proposal for the chemicals in products programme for facilitating information flow on chemicals in products, including pilot demonstration project(s);

[12. *Invites* the United Nations Environment Programme to take the lead in implementing the process in an open, transparent and inclusive manner and to submit the proposed chemicals in products programme to the International Conference on Chemicals Management for consideration at its fourth session.”]

Annex to resolution III/[] B

Elements to be considered for inclusion in a framework to improve access and availability to information on chemicals in products³

In response to its objective to develop elements to be addressed in recommendations for cooperative actions, the Workshop on the Chemicals in Products Project held in March 2011 identified the following elements for consideration in the development of a framework to improve access and availability to information on chemicals in products. While the following text does not constitute negotiated text it does represent the overall outcome of the workshop largely based on reports from discussions in breakout groups.

The framework could be generic and, consistent with the Strategic Approach to International Chemicals Management, voluntary in nature. The framework could stimulate activities in specific product sectors and allow flexibility to accommodate the different needs of those sectors.

The framework could identify:

- (a) The roles and responsibilities of the major stakeholder groups

³ The present annex has been extracted from the report of the March 2011 workshop on the chemicals in products project. The term “framework” was agreed to at that meeting and changed subsequently to “chemicals in products programme” as reflected in the draft resolution transmitted to the International Conference on Chemicals Management by the Open-ended Working Group in its decision OEWG.1/1. It has not been formally edited.

(b) Principles on what information could be transferred to different stakeholders and how that transfer could take place

(c) Build on existing experiences of best practices

The development of the framework could base itself on an analysis of critical elements of best practices for chemicals in products information, draw on the sector case studies prepared for toys, electronics, construction materials and textiles, a document that had been developed entitled: An overview of systems for providing information regarding chemicals in products and of stakeholders' needs for such information, and presentations made during the International Workshop on Information on Chemicals in Products by all stakeholder representatives. It could also draw on conclusions from that Workshop and other meetings held during the development of the project.

During the development of the framework, the needs of stakeholders for information should be recognized and should be implemented in a balanced approach that at the same time recognizes and respects the important concept of intellectual property and protection of confidential business information.

When developing the framework the following could be taken into consideration:

(a) Establishment of principles that determine what information could be provided to address stakeholders needs for example which chemical substances, types of information to address etc.

(b) Provision and communication of information between different stakeholders:

- Development of technical requirements for new information exchange methods including best practices of existing methods, and
- Strengthening of existing information exchange methods to broaden the acceptance and implement their use

(c) Encouraging partnerships across all the stakeholders, including public-private partnerships

(d) Implementing actions to gain buy-in by industry and other stakeholders and ensure success; one possible activity could be "business cases" highlighting the benefits and added value of improved flow of information for key players in the value chain

(e) Building on existing and on-going work on cost of inaction, capacity building, and technical and financial assistance for developing countries and countries with economies in transition that would assist governments to assess the costs and benefits related to information systems

(f) Awareness-raising of existing systems, in particular to governments, the informal economy, small and medium size enterprises and the public, and strengthening capabilities to implement those systems

(g) Addressing how to define and treat confidential business information

(h) Development of guidance documents and could consider the above-mentioned issues and focus on, for example:

- (i) Best practices including lessons learned and successful systems
- (ii) Using standardized languages
- (iii) Transfer of knowledge
- (iv) Policy guidelines consistent with paragraph 16 of the SAICM Overarching Policy Strategy
- (v) Proposals for regulatory tools.

C

Hazardous substances within the life cycle of electrical and electronic products

The Conference,

Recalling its resolution II/4 D on hazardous substances within the life cycle of electrical and electronic products,

Recognizing that hazardous chemicals within the life cycle of electrical and electronic products, [if not managed in a precautionary, safe and environmentally sound manner,] can pose severe risks to the health of workers and communities and the environment where such products are made, recycled and disposed of,

Recognizing also that actions to tackle this issue can be taken at various points in the life cycle, whether upstream, midstream or downstream,

Recognizing further the work at subsequent regional meetings held under the auspices of the Strategic Approach to International Chemicals Management from 2009 to 2011,

Recognizing the synergistic role that the Stockholm Convention on Persistent Organic Pollutants and the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal play when addressing hazardous substances within the life cycle of electrical and electronic products,

Recognizing also the efforts of industry and other stakeholders in addressing hazardous substances within the life cycle of electrical and electronic products,

Noting with appreciation the successful realization of the international workshop on hazardous substances in the life cycle of electrical and electronic products from 29 to 31 March 2011 in Vienna, as proposed in resolution II/4 D,

1. *Encourages* all stakeholders to consider the recommendations and key messages on hazardous substances within the life cycle of electrical and electronic products made by the participants at the above-mentioned workshop when deciding which further actions to take;
2. [*Invites* the Inter-Organization Programme for the Sound Management of Chemicals, the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, the Stockholm Convention on Persistent Organic Pollutants, the World Customs Organization, Governments, the health sector, industry, civil society and other stakeholders to consider taking further action and the lead in the relevant activities;]
3. [*Decides* to continue to work to create an international set of best practice resources in this area,⁴ drawing on existing initiatives, including:
 - (a) Tools that lead to progress in the development of designs that reduce and eliminate the use of hazardous chemicals in the production of electrical and electronic products;
 - (b) Business standards and practices for tracking and disclosing the presence of chemicals in the manufacturing, use and end-of-life stages of electrical and electronic products;
 - (c) Potential safer substitutes in electrical and electronic product applications, for chemicals of concern, [including chemicals that are persistent, bioaccumulative and toxic, carcinogens, mutagens, reproductive or developmental toxins, neurotoxins, neurodevelopmental toxins, respiratory toxins, immunotoxins, organ system toxins and endocrine-disrupting compounds];
 - (d) Green purchasing strategies used by businesses and Governments;
 - (e) Extended producer responsibility policies;
 - (f) Provisional strategies and actions that should be implemented until elimination is possible or substitutes are available;]
4. [*Invites* donors, including Governments and public and private organizations, to provide financial and in kind resources for further work in this area.]

⁴ The identification, prioritization and completeness of the work area listed in subparagraphs (a) to (f) should be further considered by the Conference at its third session, taking into account the recommendations for upstream, midstream and downstream action and the key messages of the workshop referred to in the preamble of the present resolution, in addition to other existing efforts, including industry and multilateral stakeholder initiatives and relevant international standards.

D

Nanotechnologies and manufactured nanomaterials

The Conference,

Mindful of the overarching goal articulated in paragraph 23 of the Plan of Implementation of the World Summit on Sustainable Development to ensure that by 2020 chemicals are produced and used in ways that minimize significant adverse impacts on the environment and human health,⁵

Recalling the Dakar Statement on Manufactured Nanomaterials adopted by the Intergovernmental Forum on Chemical Safety at its sixth session,

Recalling also its resolution II/4 E on nanotechnologies and manufactured nanomaterials,

Considering the specific needs of developing countries and countries with economies in transition,

Considering also the resolutions on nanotechnologies adopted by the groups of African and Latin American and the Caribbean countries at their regional meetings held over the period 2009–2011,

Taking into account the continuing work of the Inter-Organization Programme for the Sound Management of Chemicals, its participating organizations and the International Organization for Standardization, including lessons learned on effective mechanisms for information exchange,

Taking into account also the report on nanotechnologies and manufactured nanomaterials prepared by the secretariat of the Strategic Approach to International Chemicals Management for the Open-ended Working Group at its first meeting and the International Conference on Chemicals Management at its third session, in particular its conclusions recommending further actions to be taken under the Strategic Approach,⁶

1. *Underlines* that the Strategic Approach provides a suitable framework for addressing nanotechnologies and manufactured nanomaterials;
2. *Encourages* all Strategic Approach stakeholders to facilitate information exchange on nanotechnologies and manufactured nanomaterials in order to improve global transparency and allow better decision-making processes, noting that examples of such information might include risk assessments, risk reduction measures and information on environment, health and safety research;
3. *Recommends* the development of international technical and regulatory guidance and training materials for the sound management of manufactured nanomaterials;
4. *Requests* that all Strategic Approach stakeholders continue to support public dialogue on all aspects of nanotechnologies and manufactured nanomaterials, including on the benefits and risks of manufactured nanomaterials throughout their life cycle;
5. *Invites* relevant international organizations, including the participating organizations of the Inter-Organization Programme for the Sound Management of Chemicals, such as the Organization for Economic Cooperation and Development and the United Nations Institute for Training and Research, to continue to support efforts to facilitate information exchange, develop guidance and training materials and support public dialogue regarding nanotechnologies and manufactured nanomaterials;
6. *[Invites] [Calls for]* industry to continue and enhance its stewardship role and responsibilities [as manufacturers and suppliers of] [in relation to] nanotechnologies and manufactured nanomaterials, and to participate in and support, [including in financial terms], awareness-raising, information exchange and training activities, public dialogue and risk research;
7. *Invites* the United Nations committees of experts on the transport of dangerous goods and on the Globally Harmonized System of Classification and Labelling of Chemicals to monitor the progress of international scientific work and to review the applicability of the Globally Harmonized System criteria to manufactured nanomaterials, and, if necessary, to prepare a workplan for adapting those criteria;

⁵ *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.

⁶ SAICM/OEWG.1/12.

8. [*Invites* the conferences of the parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the Stockholm Convention on Persistent Organic Pollutants to consider whether manufactured nanomaterials and their applications should fall within their purview;]

9. [*Invites* all stakeholders, in particular the International Council of Chemical Associations, to identify manufactured nanomaterials, generate information to enable their safe handling and use throughout their life cycle and make this information available through appropriate mechanisms developed through the Council;]

10. [*Recommends* that pilot projects be developed at the national level to enhance capacity for the sound management of nanotechnologies and manufactured nanomaterials;]

11. [*Also recommends* that all intersessional activities related to manufactured nanomaterials pay special attention to the full life cycle and occupational exposure.]

E

Managing perfluorinated chemicals and the transition to safer alternatives

The Conference,

Recalling its resolution II/5 on managing perfluorinated chemicals and the transition to safer alternatives,

1. *Welcomes* the efforts made to gather and exchange information on perfluorinated chemicals to support the implementation of resolution II/5 and the transition to safer alternatives;

2. *Notes* that a significant need remains for additional work to support the implementation of resolution II/5;

3. *Welcomes* the establishment of the Organization for Economic Cooperation and Development/United Nations Environment Programme global PFC group as an important mechanism to broaden participation in this work beyond the member countries of the Organization for Economic Cooperation and Development and to achieve further progress in this area;

4. *Invites* the global PFC group to carry this work forward and to report on progress to the Conference;

5. *Requests* the global PFC group closely to collaborate with the secretariat of the Stockholm Convention on Persistent Organic Pollutants and the United Nations Industrial Development Organization on activities related to perfluorinated chemicals.

Annex to resolution III/[] E

Terms of reference of the global PFC group

Composition

1. The global PFC group is an inclusive group welcoming up to five Strategic Approach representatives of each of the United Nations regions, non-governmental organizations and other international organizations, in addition to current Organization for Economic Cooperation and Development (OECD) participants on PFC activities. The group could be composed as follows:

Regional representatives

[Africa]

[Asia-Pacific]

[Central and Eastern Europe]

[Latin America and the Caribbean]

[Western Europe and others]

Non-governmental organizations

[Health sector]

[Industry sector]

[Public interest sector]

[Trade unions sector]

Inter-Organization Programme for the Sound Management of Chemicals
[Inter-Organization Programme for the Sound Management of Chemicals representative]

Stockholm Convention Secretariat
[Stockholm Convention Secretariat]

OECD
[OECD country]
[OECD stakeholder]

Global PFC group secretariat
[United Nations Environment Programme secretariat]
[OECD secretariat]

The group is open to observers from Governments and intergovernmental and non-governmental organizations that may wish to participate in the activities and exchange information.

Objective of the global PFC group

2. The group's objective is to facilitate information exchange and information gathering on perfluorinated octylsulfonate and perfluorooctanoic acid, their related substances and products and mixtures containing these substances (collectively known as PFCs).⁷ In particular, information on the following aspects is required:
 - (a) Product content and environmental releases;
 - (b) On alternatives currently in use and potentially safer alternative substances or technologies for their use;
 - (c) Criteria for identifying potentially safer alternative substances or technologies;
 - (d) Need for and possibility of technology transfer;
 - (e) Progress in and examples of regulatory actions and voluntary programmes;
 - (f) Environmental fate and transport;
 - (g) Monitoring;
 - (h) Emissions;
 - (i) Exposure of humans and the environment;
 - (j) Potential effects of these substances and their alternatives on human health and the environment.

Proposed work for 2011–2012

3. The main elements of work proposed include:
 - (a) PFC survey among major producers in 2012;
 - (b) Information sharing on alternative substances and technologies through the PFC web portal, web-based seminars and side events;
 - (c) Promotion of stewardship and regulatory activities through the PFC web portal, web-based seminars and side events;

⁷ The focus of the work will be on long-chain perfluorinated compounds, i.e.:

- (a) Perfluorocarboxylic acids with carbon chain lengths C8 and higher, including perfluorooctanoic acid (PFOA);
- (b) Perfluoroalkyl sulfonates with carbon chain lengths C6 and higher, including perfluorohexane sulfonic acid (PFHxS) and perfluorooctane sulfonate (PFOS);
- (c) Precursors of those substances that may be produced or present in products.

“Precursor” means a substance that has been recognized as having the potential to degrade to perfluorocarboxylic acids with a carbon chain length of C8 and higher (including PFOA) or perfluoroalkyl sulfonates with a carbon chain length of C6 of higher (including PFHxS and PFOS).

- (d) Reporting progress to the International Conference on Chemicals Management at its third session.
- 4. These activities could be carried out if sufficient voluntary contributions are made.
- 5. The group is expected to work through conference calls and e-mail rather than face-to-face meetings, meaning that it requires few resources to operate.

Governance structure

- 6. OECD and the Chemicals Branch of the UNEP Division of Technology, Industry and Economics will chair the teleconferences and carry out the group's secretariat functions. They will work with the Strategic Approach secretariat.
 - 7. At its first meeting, the group will discuss, amend and adopt its terms of reference and discuss and adopt a work programme.
 - 8. The secretariat will be responsible for:
 - (a) Organizing meetings of the group;
 - (b) Consulting the Strategic Approach secretariat to ensure coordination of input to the International Conference on Chemicals Management;
 - (c) Consulting other stakeholders outside the group;
 - (d) Preparing progress reports to the International Conference on Chemicals Management.
-