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**International Conference on Chemicals Management**

**Third session**

Nairobi, 17–21 September 2012

Items 4 and 5 of the provisional agenda\*

**Implementation of the Strategic Approach to  
International Chemicals Management  
Health sector strategy**

**Report of the Open-ended Working Group of the International  
Conference on Chemicals Management on the work of its first  
meeting**

**Note by the secretariat**

The secretariat has the honour to circulate, for the information of participants, the report of the Open-ended Working Group of the International Conference on Chemicals Management on the work of its first meeting, held in Belgrade from 15 to 18 November 2011 (see annex). The report was originally made available under the symbol SAICM/OEWG.1/19.

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\* SAICM/ICCM.3/1.

## Annex

# Report of the work of the Open-ended Working Group of the International Conference on Chemicals Management at its first meeting

## Introduction

1. By its resolution II/6, the International Conference on Chemicals Management established the Open-ended Working Group as its subsidiary body. The Conference recognized that there was a need to ensure the comprehensive and effective preparation of its sessions, and agreed that the groundwork for those sessions would be carried out by the Open-ended Working Group, which would meet in the year prior to each session.

## I. Opening of the meeting

2. The first meeting of the Open-ended Working Group of the International Conference on Chemicals Management was held at the Sava Centar in Belgrade from 15 to 18 November 2011. It was opened at 10.15 a.m. on Tuesday, 15 November 2011, by Mr. Ivan Eržen (Slovenia), President of the Conference.

3. Opening and welcoming statements were delivered by Mr. Oliver Dulić, Minister of Environment of Serbia, and Mr. Tim Kasten, Head, Chemicals Branch of the Division of Technology, Industry and Economics of the United Nations Environment Programme (UNEP).

4. In his statement, Mr. Dulić drew attention to the goal set out in the Plan of Implementation of the World Summit on Sustainable Development that, by 2020, chemicals would be used and produced in ways that would lead to the minimization of significant adverse effects on human health and the environment. He stressed the importance of attaining that goal, pointing out that, although at its nineteenth session the Commission on Sustainable Development had recognized that significant progress had been made, there remained much to be done to ensure the environmentally sound use and management of chemicals throughout their life cycle in accordance with the principle of sustainable development. The international policy framework around sound management of chemicals needed to be strengthened, and the full and effective implementation of the Strategic Approach to International Chemicals Management was an important tool in doing so.

5. He gave a number of examples to demonstrate his country's commitment to sound chemicals management and the implementation of the Strategic Approach. In conclusion, he called for the current meeting to be a significant step in the preparations for the third session of the International Conference on Chemicals Management, suggesting that it should contribute to the implementation and enhancement of the objectives of the Strategic Approach while providing the possibility of promoting priorities, goals and achievements in the field of chemicals management at the international and national levels. He declared the meeting officially open.

6. Mr. Kasten, in his statement, expressed appreciation for the presence of so many representatives towards the end of a year that had seen numerous meetings in the chemicals management arena. He noted that the Bureau of the International Conference on Chemicals Management had agreed to convene the current meeting over four days so as to maximize resources and ensure a more efficient meeting. He explained that the main objective was to prepare for the third session of the Conference by shaping the agenda, assessing progress to date, identifying gaps and drafting resolutions for the consideration of the Conference. He drew attention to some of the most important issues on the agenda of the current meeting, expressing the hope that the representatives would be able to reach agreement on how to proceed and thereby ensure full preparation for robust discussions at the third session of the Conference.

7. He said that the Strategic Approach had evolved into an initiative that had earned an important place in the world of international chemicals management, and was particularly relevant as a complement to the legally binding agreements by providing a forum for issues that otherwise might not be discussed. The discussions to take place during the current meeting would be key to the future of the Strategic Approach in many areas, not least that of financing. For it to continue on its successful path, there was a need to look to the outcome of the consultative process on financing options for chemicals and wastes launched by the Executive Director of UNEP in May 2009, new and non-

traditional donors and existing partners. Given the successes achieved to date, it was crucial to continue in the same direction to ensure the attainment of the 2020 goal.

8. Following those statements, a film about Serbia was projected.

## **II. Organizational matters**

### **A. Adoption of the agenda**

9. The Working Group adopted the agenda set out below on the basis of the provisional agenda that had been circulated as document SAICM/OEWG.1/1/Rev.1:

1. Opening of the meeting.
2. Organizational matters:
  - (a) Adoption of the agenda;
  - (b) Organization of work.
3. Setting priorities and meeting goals.
4. Overview of activities under the Strategic Approach to International Chemicals Management for the period 2009–2011.
5. Implementation of the Strategic Approach:
  - (a) Evaluation of and guidance on the implementation, review and updating of the Strategic Approach;
  - (b) Financial and technical resources for implementation;
  - (c) New and emerging policy issues.
6. Health sector strategy.
7. Preparations for the United Nations Conference on Sustainable Development.
8. Planned activities and draft budget of the secretariat for the period 2013–2015.
9. Preparations for the third session of the International Conference on Chemicals Management.
10. Other matters.
11. Adoption of the report.
12. Closure of the meeting.

### **B. Organization of work**

#### **1. Attendance**

10. The following governmental representatives were present: Albania, Argentina, Armenia, Australia, Austria, Belgium, Benin, Bhutan, Brazil, Burkina Faso, Burundi, Cambodia, Canada, Central African Republic, Chad, Chile, China, Colombia, Comoros, Cook Islands, Costa Rica, Côte d'Ivoire, Croatia, Czech Republic, Denmark, Dominican Republic, Ecuador, Egypt, France, Gabon, Germany, Guatemala, Guinea, Guyana, Haiti, Hungary, India, Iran (Islamic Republic of), Jamaica, Japan, Kenya, Kiribati, Kyrgyzstan, Lesotho, Liberia, Libya, Lithuania, Madagascar, Malawi, Malaysia, Mali, Mauritania, Mexico, Nepal, Netherlands, Niger, Nigeria, Norway, Pakistan, Palau, Panama, Paraguay, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Vincent and the Grenadines, Senegal, Serbia, Sierra Leone, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia.

11. The following intergovernmental representatives were present: European Commission, Food and Agriculture Organization of the United Nations, Global Environment Facility, Organization for Economic Cooperation and Development, Scientific and Technical Advisory Panel of the Global Environment Facility, United Nations Environment Programme, United Nations Institute for Training and Research, World Bank, World Health Organization.

12. The following non-governmental representatives were present: Abacus for Communities, Agenda for Environment and Responsible Development, All-Ukrainian Association for Youth Cooperation "Alternative V", Armenian Women for Health and Healthy Environment, BaliFokus, Basel Convention Coordinating Centre for Training and Technology Transfer for the African Region, Bipro, Center for Environmental Solutions, Center for International Environmental Law, Centre de Recherche et d'Éducation pour le Développement, Centre for Environment and Sustainable Development "ECO-Accord", Centro de Análisis y Acción en Tóxicos y sus Alternativas, Chemistry Industry Association of Canada, EcoLomics International, Environmental Ambassadors (Ambasadori zivotne sredine), Environment and Social Development Organization, Environmental Protection and Sustainable Development Society, Environmental Sciences Center EULA-Chile, FluoroCouncil, Global Alliance for Incinerator Alternatives, Greenpeace East Asia, Information Technology Industry Council, International Chemical Secretariat, International Council of Chemical Associations, International Council on Mining and Metals, International Labour Foundation for Sustainable Development (Sustainlabour), International POPs Elimination Network, International Society of Doctors for the Environment, Pesticide Action Network, Red de Acción sobre Plaguicidas y Alternativas en México, Resource Centre Leskovac, Society of Environmental Toxicology and Chemistry, Swedish Society for Nature Conservation, Thanal, United States Council for International Business, Women in Europe for a Common Future, WorkSafe, World Chlorine Council, Zoi Environment Network.

13. The following representatives of other groups were present: Cleaner Production Centre of Serbia, Construction Specialties, Inc., Hong Kong Baptist University, Policy Analysis and Chemical Evaluation SPRL, Sony Ericsson Mobile Communication AB, Stockholm University, Toy Industries of Europe, University of Belgrade, University of Massachusetts Amherst, University of Novi Sad.

## **2. Officers**

14. As the rules of procedure of the International Conference on Chemicals Management applied mutatis mutandis to the proceedings of the Working Group, the Bureau elected at the second session of the Conference was to serve during the current meeting. During the period since the second session of the Conference, however, a number of the officers elected by the Conference were replaced by their Governments or regional groups: Mr. Carlos Portales (Chile) was replaced by Mr. Osvaldo Álvarez-Pérez; Mr. Eisaku Toda (Japan) was replaced by Mr. Teruyoshi Hayamizu; and Mr. Victor Escobar Paredes (Spain) was replaced by Ms. Johanna Lissinger Peitz (Sweden). As Mr. Cheikh Ndiaye Sylla (Senegal) was unable to attend, Ms. Fagamou Sy acted in his stead.

15. Accordingly, the following representatives served as the officers of the Working Group:

|                  |                                      |
|------------------|--------------------------------------|
| President:       | Mr. Ivan Eržen (Slovenia)            |
| Vice-Presidents: | Mr. Osvaldo Álvarez-Pérez (Chile)    |
|                  | Mr. Teruyoshi Hayamizu (Japan)       |
|                  | Ms. Fagamou Sy (Senegal)             |
|                  | Ms. Johanna Lissinger Peitz (Sweden) |

16. Mr. Hayamizu served as rapporteur.

## **3. Organization of work**

17. In carrying out its work at the current meeting, the Working Group had before it working and information documents pertaining to the various items on the meeting agenda. Those documents, listed according to the agenda items to which they pertain, are set out in annex V to the present report.

18. The Working Group agreed to work in plenary session each day of the meeting from 10 a.m. to 1 p.m. and from 3 p.m. to 6 p.m., subject to adjustment as necessary, and to establish small groups as it considered necessary. It also agreed that the current meeting would be a paperless one; except upon request, documents would accordingly be distributed in electronic form only.

## **4. Statements on the objectives of the meeting**

19. A number of representatives, including several speaking on behalf of groups of countries, made general statements on the issues to be discussed during the meeting. Statements on behalf of regional groups of countries were made first, followed by statements by representatives of individual countries and intergovernmental and non-governmental organizations.

20. Representatives speaking on behalf of the European Union and its member States voiced full commitment to the Strategic Approach and expressed thanks to all those involved in organizing the

current meeting, which would play an important role in preparing for the third session of the Conference. They said that there was a need for a reporting system that would enable progress in the implementation of the Strategic Approach to be tracked, and also called for due account to be taken of the work of other processes and international instruments while encouraging synergies with them. They welcomed the decisions on synergies adopted by 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 at their recent meetings, calling for them to feed directly into the third session of the Conference. In conclusion, they also welcomed the outcome document of the consultative process on financing options for chemicals and wastes, which would be considered at the twelfth special session of the UNEP Governing Council/Global Ministerial Environment Forum and the third session of the Conference, in 2012, suggesting that it was important not to pre-empt those discussions.

21. Speaking on behalf of the group of African countries, one representative stressed that the implementation of the Strategic Approach was at a critical phase. The 2020 goal could not be attained unless sustainable financial resources were made available, as sustainable financing was the pillar of sound chemicals management. He therefore cautioned against adding new emerging policy issues to the Global Plan of Action of the Strategic Approach to International Chemicals Management without matching funds to ensure the implementation of related activities. He called upon donors to mobilize sufficient, predictable and appropriate financial resources for implementation. Africa was one of the regions to have benefited the most from projects under the Quick Start Programme and it was crucial for it and the trust fund to be extended until a permanent, long-term financing mechanism was established, as the Programme alone could not meet the needs of developing countries and countries with economies in transition. The allocation of funding for sound chemicals management as part of the fifth replenishment of the Global Environment Facility (GEF) was a welcome development, and the chemicals focal area should be expanded in the sixth replenishment. His region was committed to ensuring that the goals of the Strategic Approach were attained and would strive to move the discussions forward.

22. Speaking on behalf of the group of Latin American and Caribbean countries, one representative said that the Working Group should take the opportunity afforded by the current meeting to call for all Strategic Approach stakeholders to recommit themselves to attaining the 2020 goal. She lauded the successes of the Quick Start Programme, suggesting that they should be brought to the attention of representatives at the United Nations Conference on Sustainable Development, to be held in Rio de Janeiro, Brazil, in 2012. She urged all stakeholders to continue to support the Programme and its trust fund. While acknowledging the outcomes of the consultative process, she pointed out that the Working Group had an opportunity to make specific proposals to the International Conference on Chemicals Management on a future vehicle for technical and financial assistance that would allow developing countries and countries with economies in transition to attain the 2020 goal. Referring to regional meetings, she expressed thanks to the Government of Spain for its support in convening a regional meeting in Panama in 2011 and said that such meetings were of great importance to the work of the Strategic Approach.

23. Speaking on behalf of the group of Asian and Pacific countries, one representative said that his region, with its diverse priorities, was committed to enhancing efforts for sustainable development, noting that numerous countries had recently enacted and/or updated legislation to improve the management of chemicals. He said that, among the emerging issues, his region accorded high priority to work on lead in paint, urging the world community to phase out the use of lead forthwith. On financing, he called for the Working Group to recommend to the Conference to consider extending funding for the Quick Start Programme so that the momentum gained could be broadened to those countries that had yet to receive such funding. In conclusion, he expressed the hope that the current meeting would lead to enhanced international collaboration in the chemicals management arena and that the importance of the Strategic Approach would be noted at the United Nations Conference on Sustainable Development.

24. The representative of the Food and Agriculture Organization of the United Nations (FAO), speaking as Chair of the Inter-Organization Programme for the Sound Management of Chemicals (IOMC), explained how IOMC functioned and how it had developed since the second session of the Conference, noting that the World Bank had become a participating organization and that the United Nations Development Programme was in the final stages of doing so. He said that at the second session of the Conference IOMC had volunteered to play a leading role in work on emerging policy issues and would continue to work in that regard, given that one of its functions was that of coordination.

25. Statements were then made by the representatives of individual countries and organizations.
26. All the representatives who spoke expressed thanks to the secretariat for its endeavours since the second session of the Conference and reiterated their commitment to the Strategic Approach process. Several welcomed the appointments of Mr. Kasten as the head of the UNEP Chemicals Branch and of Ms. Leonor Alvarado as the Strategic Approach Coordinator.
27. One representative expressed the belief that the Strategic Approach was transitioning from developing and negotiating policies towards implementing them, requiring focus to shift to identifying existing and potential opportunities for more effective implementation of the Strategic Approach. In that regard, a number of representatives described national-level implementation efforts.
28. Another representative said that attention should be paid to countries' economic situations and needs, as developed and developing countries were often on an unequal footing when it came to the implementation of sound chemicals management. Priority should be accorded to developing solutions to the challenges faced, while bearing in mind the principle of common but differentiated responsibilities. Capacity-building for developing countries was crucial. Another representative called for the Working Group to have a clear and precise vision to ensure that developing countries would have the means to manage chemicals correctly. In that regard, any financial mechanism to be adopted by the Conference should be solid and transparent and complemented by a programme of work that would provide countries with the capacities to implement activities and ensure sound chemicals management.
29. Two representatives said that it was important for the current meeting to lay the groundwork for the third session of the Conference, suggesting that that session would be crucial in coordinating efforts to attain the 2020 goal by further developing the implementation of the Strategic Approach. One said that the success of projects under the Quick Start Programme in catalysing multi-stakeholder action should inspire donor Governments to increase their financial contributions, welcoming those projects that had helped to build an enabling environment in developing countries. He called for the Programme and its trust fund to be extended, given that there was a need to put in place a long-term, global financial mechanism to make available predictable funding to ensure a sustainable and toxic-free future for all.

### **III. Setting priorities and meeting goals**

30. Introducing the item, the President set out his plans and general expectations for the meeting, as described in the scenario note (SAICM/OEWG.1/2).
31. The Working Group took note of the information provided.

### **IV. Overview of activities under the Strategic Approach to International Chemicals Management for the period 2009–2011**

32. Introducing the item, the representative of the secretariat described activities under the Strategic Approach for the period 2009–2011, as set out in the note by the secretariat (SAICM/OEWG.1/3).
33. In the ensuing discussion, a number of representatives, including several speaking on behalf of groups of countries, drew attention to activities to implement the Strategic Approach and to improve chemicals management undertaken by industry and at the regional and national levels since the second session of the Conference. Several welcomed the work by the secretariat at the regional level, describing the meetings held to date as of great importance to the implementation of the Strategic Approach as they provided a platform to exchange ideas and discuss specific issues in detail, thereby enhancing participation in, for example, sessions of the Conference. They expressed thanks to all those involved in organizing the regional meetings.
34. The Working Group took note of the information provided and commended the secretariat on its efforts over the period since the second session of the Conference.

## **V. Implementation of the Strategic Approach**

### **A. Evaluation of and guidance on the implementation, review and updating of the Strategic Approach**

#### **1. Reporting on progress in the implementation of the Strategic Approach**

35. Introducing the item, the representative of the secretariat presented the note by the secretariat providing an overview of the work carried out by the secretariat in preparation for the evaluation of progress in the implementation of the Strategic Approach (SAICM/OEWG.1/4) and information documents relating to baseline and preliminary data collection made using the online reporting tool, in addition to a summary of the data collected from Governments and intergovernmental and non-governmental organizations and information on progress in implementing the Strategic Approach provided by IOMC. She expressed thanks to those stakeholders that had reported their data since the second session of the Conference, noting that reliable baseline information had been gathered for 7 of the 20 indicators, mostly those providing information on the first initial institutional arrangements. For the remaining indicators, preliminary data collected for the first progress report filled a number of gaps and for the first time provided comparable data for other indicators, particularly those relating to risk reduction, knowledge and information, and illegal international traffic. Although the report had focused on quantitative information, qualitative data would also be included in the report on progress to be prepared for the third session of the Conference.

36. In the ensuing discussion, the representative of FAO, speaking as Chair of IOMC, drew attention to an information document describing the activities of IOMC in the implementation of the Strategic Approach. One representative also highlighted his association's activities in coordinating the work of the chemical industry in relation to the Strategic Approach.

37. Several representatives stressed that accurate reporting to measure progress towards the 2020 goal was crucial to informing the Conference's actions. While they understood the challenges of diverting resources from implementation to reporting, they did not favour any reduction in the number of indicators. One representative, speaking on behalf of a group of countries, said that, while 20 indicators provided a powerful tool to monitor Strategic Approach activity worldwide, they might not be sufficient to ascertain in 2020 whether the goal had been met. Another representative said that a second round of reporting would be needed to understand how the indicators were working, but her country could not support any recommendation to set a target in evaluating progress in implementation.

38. One representative said that the information provided on the results of the preliminary data collection for 2009 and 2010, which he termed "snapshots", was useful, expressing the hope that it would serve as a basis for a helpful evaluation of progress through the use of existing qualitative and quantitative information. In response to his question as to whether progress could be evaluated through the use of existing quantitative data and better use of qualitative data, the representative of the secretariat said that additional responses using the tool would provide more representative results. It should also be possible to highlight more trends and differences between regions, although more data would be needed from Asia and the Pacific and Africa, in particular.

39. Several representatives expressed concern that only one third of countries had responded using the electronic tool developed by the secretariat to facilitate reporting on the implementation of the Strategic Approach and a number suggested that the secretariats of the conventions related to chemicals and wastes should be contacted to ascertain whether their data collection response rates were on a par with those of the Strategic Approach. Those secretariats might be able to supply additional data that would enable more indicators to be published, or might suggest ways of improving response rates.

40. A number of representatives questioned the secretariat's proposal to shorten the reporting cycle to two years, drawing attention to the resource needs. One representative reported some difficulties with the use of the electronic reporting tool, suggesting that that might have contributed to the low response rate and that the tool should be examined further with a view to making it as effective as possible.

41. One representative said that a supplementary report would be provided on activities by his organization, noting that not all indicators were fully appropriate.

42. Responding to the issues raised, the representative of the secretariat said that the secretariat could provide assistance to those countries that had experienced problems using the tool, thereby leading to better reporting and a more representative sample. She clarified that the secretariat's proposal regarding the reporting cycle was to begin with a two-year cycle (2009–2010) for the

preparation of the first report to the Conference, and then continue with the original three-year cycle from 2011. That would relax the time constraints and allow the secretariat to focus on improving the data available for evaluation.

43. The Working Group agreed that the initial reporting period would cover only the period 2009-2010, and a three-year reporting cycle would be implemented from 2011. In addition, since the third session of the Conference was not likely to take place until the second half of 2012, it agreed to reopen access to the electronic tool to enable more stakeholders to submit or supplement their data by the end of January 2012.

## **2. Addition of activities to the Global Plan of Action**

44. Introducing the item, the representative of the secretariat noted that the proposal by the Government of Switzerland to add nanotechnologies and manufactured nanomaterials as a new work area to the Global Plan of Action had originally been presented at the second session of the Conference. The second proposed addition to the Global Plan of Action, on hazardous substances within the life cycle of electrical and electronic products, had been developed at the fourth African regional meeting on the Strategic Approach.

45. In the ensuing discussion, most of the representatives who took the floor spoke in favour of the inclusion of activities on the two areas in the Global Plan of Action, after taking account of amendments put forward by representatives at regional meetings held over the past months. Some added that they might have specific amendments to the proposed list of activities. A number, however, emphasized the importance of taking into account other work being undertaken on the issues under consideration and said that there was a need to avoid duplication. One representative stressed that the process for adding activities to the Global Plan made no reference to the creation of new work areas, and that consideration of new work areas would require a thorough review of table A of the Plan.

46. One representative, speaking on behalf of a group of countries, requested that support should be provided to developing countries to manage nanomaterials, build capacity and develop risk management tools. Others said that it was important to share information and risk data. One welcomed efforts to increase the understanding of the environmental health and safety implications of nanomaterials by sharing information, welcoming in that regard the awareness-raising workshops conducted by the United Nations Institute for Training and Research (UNITAR) and the Organization for Economic Cooperation and Development (OECD).

47. One representative said that further analysis was needed before nanotechnology activities could be included in the Global Plan. The issue was not as mature as that of hazardous substances, where considerable experience had been gained in sound management and relevant legislation drafted. Another suggested that it was premature to consider new areas of work under the Global Plan when the Overarching Policy Strategy had not yet been fully implemented.

48. One representative said that continuing work on hazardous substances within the life cycle of electrical and electronic products stood as a good example of how the Strategic Approach community could work together to solve problems; another said that it highlighted the important link between chemicals and wastes management. One welcomed the addition of a new work area on that issue to the Global Plan of Action as it would encourage Governments, industry and other stakeholders to take up initiatives related to electrical and electronic wastes in support of the Strategic Approach objectives.

49. One representative, speaking on behalf of a group of countries, welcomed the procedure approved by the Conference at its second session for the inclusion of new activities in the Global Plan, which constituted an important step in ensuring that emerging issues were fully reflected in the Plan and that it remained up to date. Another said that it was important to weigh proposed activities against the criteria set out in the procedure, especially their relevance and cost-effectiveness.

50. A number of representatives drew attention to the difficulty of separating the consideration of actions proposed with a view to moving forward on new and emerging policy issues from the discussion concerning the addition of proposed new activities to the Global Plan. One called for clarity on the methodology used in considering additions to the Global Plan and emerging policy issues and several cautioned against confusion between the two. Some suggested that international activities should be continued on the projects that required a global approach, even if they had been taken from emerging policy issues and incorporated into the Global Plan.

51. The Working Group agreed to resume its consideration of the item after having considered agenda item 5 (c).



52. Having considered agenda item 5 (c) and been unable to reach consensus on it, the Working Group agreed to form a committee of the whole, to be chaired by Mr. Barry Reville (Australia), to consider the issues further and to find a way forward.
53. The committee's consideration of the item is set out in annex IV to the present report.
54. Following the committee's consideration of the item, the chair of the committee reported that the discussion had given rise to various points that were relevant to all new and emerging policy issues currently under consideration by the Working Group. Representatives had suggested, among other things, that in the future work of the Strategic Approach lists of proposed activities should be streamlined and avoid duplication; proposed additions should be tested and take account of best practices; and the question of feasibility and risk should be adequately addressed.
55. The President introduced a conference room paper setting out a draft decision on the inclusion of new activities in the Global Plan of Action, by which it recommended to the Conference that activities related to nanotechnologies and manufactured nanomaterials and new activities relating to hazardous substances within the life cycle of electrical and electronic products should be included in the Global Plan of Action.
56. Given that time constraints precluded a detailed discussion of the content of the conference room paper, the Working Group agreed that interested representatives should submit written comments to the secretariat with a view to ensuring consistency between the two sections of the draft decision.
57. Decision OEWG.1/1, on the inclusion of new activities in the Global Plan of Action, as adopted by the Working Group, is set out in annex I to the present report.

## **B. Financial and technical resources for implementation**

### **1. Update on the Quick Start Programme**

58. Introducing the item, the representative of the secretariat presented the notes by the secretariat providing an update on the Quick Start Programme and its status (SAICM/OEWG.1/5 and SAICM/OEWG.1/INF/12/Rev.1, respectively). She drew attention to the need to tackle the issue of disbursement of funds beyond November 2013 to allow for all activities under the projects in the Programme portfolio to be completed.
59. In the ensuing discussion, all the representatives who took the floor recognized the importance of the Quick Start Programme and endorsed the proposal by the secretariat to permit the extension of financial commitments for the trust fund and the continuation of disbursements to ensure full implementation of all current activities. Many representatives said that the Working Group needed to begin discussing the longer-term financial arrangements without delay, including the establishment of a permanent funding mechanism serving developing countries and countries with economies in transition. One pointed out that the Programme had never been intended to finance full implementation and that it had done much to create an enabling environment in many countries; and several said that it should be sufficiently financed and extended until such a mechanism was established. One representative said that a stable funding mechanism was crucial to developing countries undermined by weaknesses in the field of chemicals management, and that Strategic Approach implementation called for financial and technical assistance, especially in capacity-building and infrastructure development. Another suggested that consideration of the future role of the Programme should be based on an evaluation of its effectiveness and efficiency involving wide-ranging stakeholder participation. One representative suggested that even small grants financed by GEF and others could make a difference by helping to raise awareness about the sound use and management of chemicals.
60. Many representatives said that there was a need to encourage contributions from new donors; the Conference's call for action in resolution II/3 to broaden the donor base had largely gone unheeded, and insufficient resources were impeding Strategic Approach implementation and progress towards attaining the 2020 goal. One warned that, without the necessary political will and renewed commitment, the Working Group might fail to devise an appropriate recommendation.
61. On the way forward, two representatives, each speaking on behalf of a group of countries and supported by numerous other representatives, called for the establishment of a contact group to discuss post-Quick Start Programme financing so as to present a proposal to the Conference at its third session. The group could discuss practical arrangements that took into account how little time remained to achieve the 2020 goal; the possibility of securing a substantially greater commitment at the sixth replenishment of GEF to advance progress towards the 2020 goal; and options for ensuring that the consultative process on financing options for chemicals and wastes led to the mobilization of predictable resources on a scale likely to enable attainment of that goal. One representative, speaking

on behalf of a group of countries, suggested that contributions to the trust fund should continue until the end of 2020, with a report on the mechanism's performance delivered to the Conference at each session; that regional outreach programmes should be encouraged; and that particular emphasis should be laid on accountability and transparency.

62. One representative, speaking on behalf of a group of countries and supported by a number of other representatives, said that she did not believe that it was necessary to establish such a contact group. The Executive Board of the Programme, which had been tasked to evaluate the Programme by the Conference in its resolution II/3, had lacked the information required to complete its midterm review of the Programme and thus had been unable to approve a recommendation on the Programme's future for consideration by the Working Group. The Group, for its part, must not pre-empt a recommendation by the Board, which had considered reports on the Programme in detail over a number of years, and the next step must be for the Board to produce a recommendation.

63. The UNEP Senior Legal Adviser said that the Working Group had been mandated to cover a wide range of implementation issues and that there were no contradictions with the Conference resolutions to prevent the Working Group from discussing the matters in question.

64. The Working Group agreed to resume its consideration of the item after having discussed financial and technical resources for the implementation of the Strategic Approach (see section 2, below).

65. Following the Working Group's consideration of financial and technical resources for the implementation of the Strategic Approach and other matters that could have a bearing on the Quick Start Programme, the President requested the secretariat to prepare a draft decision forwarding to the International Conference on Chemicals Management a resolution to amend the requirements of resolutions I/4 and II/3 to ensure that financial commitments for Quick Start Programme trust fund projects would be permitted until November 2013 and that disbursements of funds would continue until activities under all projects in the portfolio had been completed.

66. Following the introduction of the draft decision by the representative of the secretariat, the President established a group of friends of the President to review it and make further recommendations with a view to its finalization.

67. Subsequently, the group of friends of the President finalized its work and submitted to the Working Group, in the form of a conference room paper, a new draft decision setting out a resolution that was intended to amend the time limit of the disbursement of funds under the Quick Start Programme. Given the urgent need to begin work to increase stakeholder contributions to the trust fund without delay, the Working Group agreed that recommendations on two courses of action to that end would be removed from the draft resolution and included in annex II to the present report.

68. Decision OEWG.1/2, on amending the time limit of the disbursement of funds under Quick Start Programme projects, as adopted by the Working Group, is set out in annex I to the present report.

## **2. Financial and technical resources for the implementation of the Strategic Approach**

69. Following an introduction to the item by the representative of the secretariat, the representative of GEF provided clarification regarding some aspects of the note by the secretariat on financial and technical resources for the implementation of the Strategic Approach (SAICM/OEWG.1/6). He also recalled that, under the fifth replenishment of GEF, a chemicals strategy had been developed that included support for activities relating to persistent organic pollutants, sound chemicals management and mercury reduction. GEF had programmed \$10 million to implement, with the relevant agencies and the Strategic Approach secretariat, pilot projects on sound chemicals management that included electronic waste, lead in paint and chemicals in products. Those projects were currently under development and it was to be hoped that they would be launched during 2012. Lastly, GEF had taken note of the request of the group of African countries to consider the creation of a broader chemicals management focal area during the sixth replenishment.

70. The representative of WHO supplemented the information provided in the note by the secretariat on its analysis of the burden of disease attributable to chemicals.

71. The representative of UNEP reported on progress in the consultative process on financing options for chemicals and wastes, as outlined in the outcome document of the process (SAICM/OEWG.1/INF/17). He provided an overview of the process, explaining that it had been launched by the Executive Director of UNEP and first announced at the fourth meeting of the Conference of the Parties to the Stockholm Convention, in May 2009. The process aimed to assess the current situation on financing for the sound management of chemicals and wastes at the national level with a view to improving it. The consultative process had been informed by a widely shared

perception that a gulf existed between what was required for the sound management of chemicals and wastes and the financial means necessary to implement it. The outcome document of the consultative process set out the views and contributions of participants based on discussions at five meetings. While it did not represent a consensus document, it described numerous areas of common understanding and presented an integrated approach for financing the sound management of chemicals and wastes, which participants had recognized as representing the best way forward. On behalf of UNEP he expressed his deep appreciation to the representatives who had co-chaired the meetings of the consultative process and those Governments and other entities that had provided financial support.

72. In the ensuing discussion, all the representatives who took the floor stressed their commitment to the Strategic Approach, with some describing the ways in which they supported its implementation. They also welcomed the work undertaken as part of the consultative process. Several said that an integrated approach to financing throughout the chemicals and wastes cluster, as proposed in the outcome document of the process, was important. One representative suggested that the secretariat could develop a factual summary of the process for consideration by the Conference at its third session. Another, speaking on behalf of a group of countries, suggested that the time was not yet ripe to engage in a detailed discussion of the outcome document of the process and that it would be better to consider the matter in detail at the third session of the Conference, after its consideration by the UNEP Governing Council at its twelfth special session. In that regard, he proposed that the Working Group should encourage the Executive Director to include in his recommendations to the Governing Council specific ideas on how the outcomes of the process could play a role in the implementation of paragraph 19 of the Overarching Policy Strategy, on the financial arrangements for the Strategic Approach.

73. One representative, while welcoming the actions proposed in the note by the secretariat, said that it was unnecessary to request the secretariat to assess the relevance to financing the implementation of the Strategic Approach of the progress and outcomes of the consultative process and the United Nations Conference on Sustainable Development.

74. Many representatives called for secure funding for the Strategic Approach, with one suggesting that more attention should be paid to in kind contributions given the global economic uncertainty, another that merely ensuring the involvement of industry in financing would not prove sufficient and a third that there was a need to take full account of the broad scope of resources made available through a variety of mechanisms. It was also said that the financing of the Strategic Approach should bear in mind existing substantial financial commitments and that the discussions relating to financing should build upon those sound foundations. One representative, speaking on behalf of a group of countries, pointed out that the sources of financing tapped to date had not proved sufficient for the full implementation of the Strategic Approach and therefore welcomed the additional funding allocated by GEF under the fifth replenishment, urging GEF to continue to support the Strategic Approach. He also called for attention to be paid to the practical difficulties faced by developing countries and laid emphasis on the role to be played by industry in sound chemicals management.

75. The Working Group agreed to convene a group of friends of the President, to be co-facilitated by Mr. Arthur Nogueira (Brazil) and Mr. Greg Filyk (Canada), to discuss a procedure for dealing with financial matters at the current meeting.

76. Following an oral report on the outcomes of the discussions held by the friends of the President, the Working Group agreed to establish a contact group on financial and technical assistance, to be co-chaired by Mr. Osvaldo Álvarez-Pérez (Chile) and Mr. Filyk, to discuss the long-term financing options for the Strategic Approach.

77. Subsequently the co-chair of the contact group reported that it had completed its discussions, which had encompassed such matters as financing up to the year 2020, links to the consultative process on financing options for chemicals and wastes and the elements of an integrated approach to financing the sound management of chemicals in relation to the Strategic Approach. He and his fellow co-chair would prepare a summary paper of the views expressed during the group's discussions.

78. The Working Group agreed that the co-chairs' summary should be annexed to the present report; that it should be submitted to the International Conference on Chemicals Management at its third session as a working document, and not as an information document, in recognition of the need to have the information provided therein available to all participants in the six official languages of the United Nations; and that it should be transmitted by the President to the Executive Director of UNEP to serve as input for his report to the UNEP Governing Council on the outcome of the consultative process on financing options on chemicals and wastes.

79. The co-chairs' summary is set out in annex III to the present report.

## **C. New and emerging policy issues**

### **1. Emerging policy issues**

#### **(a) Lead in paint**

80. Following an introduction by the representative of the secretariat, the representatives of UNEP and WHO, the lead agencies for work on lead in paint, summarized developments since the second session of the Conference. They described the establishment of a global partnership that had come to be known as the "Global Alliance to Eliminate Lead Paint", the proposed target of which was to eliminate lead in paint by 2018, and the work performed to date under the partnership, proposing an international lead poisoning prevention day of action with an initial focus on the elimination of lead paint. The representative of UNEP said that the Alliance had benefited from the experience of other similar partnerships, such as the successful Partnership on Clean Fuels and Vehicles.

81. In the ensuing discussion, all the representatives who spoke expressed appreciation for the Global Alliance and the work carried out thereunder, with one suggesting that the Alliance stood as a good example of the enhanced engagement of the health sector in the Strategic Approach. Several welcomed the work being carried out to develop a business plan articulating clear milestones for progress in achieving a global phase-out of lead in paint in time for consideration by the Conference at its third session. One representative encouraged further contributions to and assistance with the Alliance, with another saying that government involvement and resources allocated to date had proved inadequate to the task, and that the pace of progress needed to be picked up. In that regard, he called for testing of paint in at least 50 additional countries before the third session of the Conference to provide a good baseline for any decisions that the Conference might take.

82. Several representatives described activities undertaken in relation to lead in paint. One said that his network of industry associations was prepared, working in conjunction with other stakeholders, to sponsor an industry workshop in Africa supporting awareness of the need to reduce the risks posed by lead, specifically through the reformulation of paint containing lead. It would seek to engage qualified industry experts and secure necessary funding, working collaboratively with various stakeholders. A number of representatives called for additional action to phase out the use of lead. Two representatives, each speaking on behalf of a group of countries, introduced conference room papers setting out draft resolutions on lead in paint.

83. One representative, speaking on behalf of a group of countries, expressed interest in the idea of an international lead poisoning prevention day of action, but sought more information about it. Another asked how the Global Alliance would tie in with the partnership on lead and cadmium established by the UNEP Governing Council in section I of its decision 26/3 of 24 February 2011, and whether the clearing-house mechanism of the Strategic Approach had been used to make available information on the possibility of replacing lead or cadmium with less hazardous substances or techniques, as envisaged in that decision. In response, the representative of the secretariat clarified that the secretariat was recruiting an information officer for the clearing-house mechanism, but had secured funding for one year only.

84. One representative questioned whether it was necessary for the Conference to adopt a new resolution on lead in paint, expressing the belief that the mandate set forth in resolution II/4 B was sufficient and would allow the Global Alliance to continue its work. Another, however, said that the new resolution proposed in the note by the secretariat providing a progress report on the implementation of resolution II/4 B on lead in paint (UNEP/SAICM/OEWG.1/9) was useful and could lead to the Conference better mobilizing action by Governments. A third pointed out that the draft resolutions on lead in paint prepared by participants at a number of regional meetings should be considered in tandem with the resolution proposed in the note by the secretariat.

85. One representative drew attention to paragraph 22 of the Overarching Policy Strategy, which stated that the implementation of the Strategic Approach could begin with an enabling phase to build necessary capacity, as appropriate, to develop, with relevant stakeholder participation, a national implementation plan for the Strategic Approach. He suggested that all emerging issues being discussed could form part of that implementation plan in order to have a clear vision of the implementation of the Strategic Approach by 2020. He also noted that paragraph 24 (h) of the Strategy stated that one of the functions of the Conference was to work to ensure that the necessary financial and technical resources were available for implementation, suggesting that it was therefore impossible to begin implementation unless such resources were available.

86. The resolution of the sub-item is described under section (e) below.

**(b) Chemicals in products**

87. Following an introduction by the representative of the secretariat, the representative of UNEP, the lead agency for work on chemicals in products, summarized developments since the second session of the Conference. She explained that the focus had been on the availability of information on chemicals in products. Considerable effort had gone into the work for a number of product sectors and coordination was good within some sectors but not across them. In-depth studies in specific sectors had found that information was not flowing well through the supply chain; there was a need for a clearer understanding of the reasons for providing information, and concern about business confidentiality. The outcome of the workshop on the project held from 16 to 18 March 2011 had been a number of elements to be included in recommendations for consideration at the third session of the Conference. The major recommendation was to develop a voluntary framework to facilitate the flow of information on chemicals in products.

88. In the ensuing discussion, many representatives expressed appreciation for the work carried out to date and endorsed the submission of the recommendations to the Conference. One representative, speaking on behalf of a group of countries, said that there were significant gaps in information on chemicals in products throughout their life cycle, and that continued global cooperation was needed to foster product safety and safe recycling. Improved access to and availability of information on chemicals in products would support the other emerging policy issues currently being discussed.

89. Several representatives pointed out that the chemicals in products project had been successful in bringing together a wide range of stakeholders, and lauded what they described as the essential involvement and commitment of the private sector and industry in particular.

90. Many representatives expressed concern that the term “framework” did not accurately capture the desired outcome, proposing alternative terms such as “code of conduct” or “cooperative action”. They said that it was important to discuss that aspect with a view to achieving tangible results and clarifying the focus for primary efforts. Against that backdrop, two representatives called for clarification of the role of the technical working group referred to in the recommendation, and a further two representatives stressed the importance of building on existing information systems and developing new ones by fostering responsible management but without creating a heavy administrative burden. One said that not repeating the language found in resolution II/4 C would simplify the draft resolution and improve its focus.

91. The resolution of the sub-item is described under section (e) below.

**(c) Hazardous substances in the life cycle of electrical and electronic products**

92. Following an introduction by the representative of the secretariat, the representative of the Basel Convention Coordinating Centre for Training and Technology Transfer for the African Region, speaking on behalf of the Secretariat of the Basel Convention and the United Nations Industrial Development Organization, introduced the report of the international workshop on hazardous substances within the life cycle of electrical and electronic products held in Vienna from 29 to 31 March 2011 (SAICM/OEWG.1/INF/7), summarizing the discussions at and recommendations arising from that workshop.

93. In the ensuing discussion, all the representatives who spoke expressed appreciation for the work undertaken, with one saying that the issue provided a perfect example of Strategic Approach commitment to tackling chemicals throughout their life cycle. One suggested broadening the scope of the activities in a similar manner to the European Union directive on the restriction of the use of certain hazardous substances in electrical and electronic equipment.

94. One representative said that, while the issue might be described in the current forum as emerging, it was nothing new for workers. She called for attention to be paid to worker safety throughout the life cycle of electrical and electronic products and for collaborative action with all stakeholders, particularly the International Labour Organization. Trade unions stood ready to cooperate with Strategic Approach stakeholders in that connection.

95. One representative said that many of the recommendations set out in the note by the secretariat providing a progress report on hazardous substances in the life cycle of electrical and electronic products (SAICM/OEWG.1/11) should be retained and that the key messages from the workshop could be annexed to any omnibus resolution to be drafted. Several, however, said that the recommendations were overly detailed and could be shortened, that some were repetitive and that they overlapped with the scope of work of the Basel Convention and should be either harmonized or eliminated. One said that the work performed under the auspices of the Strategic Approach

complemented and added value to that performed under the Basel Convention. Another expressed concern as to whether further action as part of the Strategic Approach might detract from work being carried out in other forums, saying that the Basel Convention should be the main forum for international cooperation on, among other things, international cooperation on transboundary movements of hazardous wastes and capacity-building.

96. The representative of the secretariats of the Basel, Rotterdam and Stockholm conventions described work being performed under the Stockholm Convention in relation to substances listed in the annexes to that convention. She welcomed the suggestion that work under the Strategic Approach should take into account that performed by other bodies and that such work should focus on areas where the Strategic Approach might be more effective.

97. The resolution of the sub-item is described under section (e) below.

**(d) Nanotechnologies and manufactured nanomaterials**

98. Following an introduction by the representative of the secretariat, the representative of UNITAR, which was, along with OECD, the lead agency for work on nanotechnologies and manufactured nanomaterials, summarized developments in that work.

99. The representative of Switzerland, speaking as the proponent of the proposal to include nanotechnologies and manufactured nanomaterials as an area of work in the Global Plan of Action, drew attention to further activities that had taken place since the second session of the Conference. She said that the work undertaken had supported the argument that the Strategic Approach was the appropriate instrument for addressing nanotechnology issues at the global level.

100. All the representatives who spoke expressed support for the proposal on nanotechnologies and manufactured nanomaterials and further work on the issue, and several, speaking on behalf of groups of countries, expressed thanks to UNITAR, OECD and donor countries for their assistance and the organization of regional awareness-raising workshops on nanotechnologies and manufactured nanomaterials. A number of representatives expressed interest in discussing the subject in more detail at the expert level.

101. One representative, speaking on behalf of a group of countries, called for the generation and sharing of risk data in relation to nanomaterials to be used for capacity-building and the filling of information gaps. He advocated the integration of nanomaterials into chemicals management programmes and the development of technical guidelines and standards at internationally recognized levels.

102. Another representative emphasized the important role of the Strategic Approach in informing developing countries of the potential benefits and risks of nanomaterials and commended the progress made hitherto in implementing resolution II/4 E on nanotechnologies and manufactured nanomaterials. Several representatives agreed that the Strategic Approach was a suitable framework for international cooperation on nanomaterials and, in particular, for providing support to developing countries. It was important and relevant in its ability to respond to emerging issues. One representative drew attention to the further work required on the health and safety knowledge base. Another, speaking on behalf of a group of countries, recommended that full use should be made of the results of other global initiatives, and he, and others, also noted the importance of avoiding duplication of other work on nanotechnology.

103. The resolution of the sub-item is described under section (e) below.

**(e) Proposed omnibus resolution**

104. The Working Group agreed that the committee of the whole previously established would also consider matters concerning progress with those emerging policy issues considered in detail at the second session of the Conference. The committee's consideration of the item is set out in annex IV to the present report.

105. Following the committee's consideration of the item, the President introduced a conference room paper that contained a draft decision transmitting to the International Conference on Chemicals Management at its third session, for its consideration and possible adoption, an omnibus resolution on lead in paint, chemicals in products, hazardous substances within the life cycle of electrical and electronic products, and nanotechnologies and manufactured nanomaterials.

106. Decision OEWG.1/3, on emerging policy issues, as adopted by the Working Group, is set out in annex I to the present report.

## 2. Managing perfluorinated chemicals and the transition to safer alternatives

107. Following an introduction by the representative of the secretariat, the representative of OECD, the lead agency for work on perfluorinated chemicals and the transition to safer alternatives, provided an overview of work carried out since the second session of the Conference to support the implementation of resolution II/5.

108. All the representatives who spoke welcomed the information provided and the work undertaken on the issue by all those involved. One, speaking on behalf of a group of countries, expressed particular thanks to OECD for its assistance in hosting a brainstorming workshop in Beijing in September 2011. A number of representatives voiced support for the global perfluorinated chemicals group established to replace the OECD perfluorinated chemicals steering group and pledged to participate therein. One representative said that the group's terms of reference provided for the participation of observers, which was a welcome step in ensuring that the process was open to all interested parties.

109. One representative, speaking on behalf of a group of countries, voiced strong support for the Stockholm Convention, while noting that as the instrument restricted only one class of perfluorinated chemicals – perfluorooctane sulfonic acid (PFOS), its salts and perfluorooctane sulfonyl fluoride – it was important to continue work in that area, particularly in closing existing knowledge gaps, but at the same time it was necessary to avoid duplication of effort. Referring to the terms of reference of the global perfluorinated chemicals group, another representative suggested that the definition of perfluorinated compounds used therein should be amended to read “long-chain perfluorinated compounds”, as used elsewhere, to include perfluorocarboxylic acids and perfluoroalkyl sulfonates and their precursors. The representative of OECD undertook to re-examine the terms of reference in the light of the comments made.

110. Several representatives welcomed the expansion of the work and the global perfluorinated chemicals group beyond the scope of OECD and the involvement of UNEP, noting that information from non-OECD countries had hitherto been lacking. One stressed that developing countries were hampered by insufficient pollution controls, lack of monitoring and legal regulations, and inadequate technical and financial support to monitor and manage perfluorinated chemicals.

111. The Working Group agreed that the committee of the whole previously established would also consider the matter at issue. The committee's consideration of the item is set out in annex IV to the present report.

112. Following the committee's consideration of the item, as stated in section 1, above, the President introduced a conference room paper that contained a draft decision transmitting to the International Conference on Chemicals Management at its third session, for its consideration and possible adoption, an omnibus resolution on lead in paint, chemicals in products, hazardous substances within the life cycle of electrical and electronic products, nanotechnologies and manufactured nanomaterials, and managing perfluorinated chemicals and the transition to safer alternatives.

113. Decision OEWG.1/3 E, on managing perfluorinated chemicals and the transition to safer alternatives, as adopted by the Working Group, is set out in annex I to the present report.

## 3. Nominated new emerging policy issues

### (a) International cooperation to promote awareness, understanding and action in respect of endocrine-disrupting chemicals

114. Following an introduction to the item by the representative of the secretariat, the representative of UNEP, which had nominated the issue, said that the objectives of the proposal were to improve stakeholders' understanding of the risks posed by endocrine-disrupting chemicals to human health and ecosystems, especially in developing countries and countries with economies in transition, and to promote actions to reduce those risks. Building on existing work in the field, activities would include the provision of up-to-date information and scientific expert advice to policymakers; awareness-raising and information exchange; support for capacity-building at the national level; and the creation of an international network of scientists, risk managers and others particularly concerned with issues pertaining to endocrine-disrupting chemicals.

115. In the ensuing discussion, most of the representatives who spoke voiced support for the proposal. Many regarded exposure to endocrine-disrupting chemicals as a major global concern in view of their potential impact on future generations and the environment. One said that an inclusive and participatory global approach to tackling the problem under the Strategic Approach would help to address the unmet need for effective international processes highlighted at the 2002 World Summit on Sustainable Development; and would also help to achieve the objectives of the Overarching Policy

Strategy and other core documents with regard to protecting vulnerable population groups – especially unborn babies, newborn infants and young children – and ecosystems through risk reduction, access to knowledge and information, capacity-building and technical cooperation.

116. Several representatives drew attention to the need to ensure that new initiatives were built on existing knowledge. One suggested that the updated report on endocrine disruptors by the International Programme on Chemical Safety could provide an authoritative evidence base; and another said that her country was willing to share information on its activities in screening, testing and assessing endocrine-disrupting pesticides and chemicals, and in supporting current international efforts to develop the necessary scientific principles.

117. Several representatives, however, cautioned against duplicating existing activities: the issue was included in the Overarching Policy Strategy and the Global Plan of Action, and was already being addressed in various international venues and forums. One representative said that, since the Strategy had recognized the importance of endocrine disruptors, the Conference had already been called upon to promote cooperative action on the issue. Furthermore, the proposal did not make clear how the project would build on existing international efforts; and it failed to show how the proposed international network of scientists, risk managers and others would fit into the existing Strategic Approach procedures and mechanisms, which could also be used to promote the exchange of information and support related activities. One representative, speaking on behalf of a group of countries, called for careful consideration of the composition of the international network. Other representatives suggested that it should draw on existing scientific communities; that it should build on existing initiatives of, for example, OECD and WHO; and that it should involve all stakeholders. One expressed his organization's willingness to participate in the international network and to contribute the cutting-edge science provided by its tripartite advisory groups of scientists and environmental practitioners from Governments, academic institutions, and industry and business. Another, however, opposed the creation of a separate international network, especially when the scientific and technical assessment of endocrine-disrupting chemicals was at such an early stage and the resources of the Strategic Approach were so limited.

118. One representative called for particular emphasis to be laid on risk assessment and regulatory frameworks, and another, speaking on behalf of a group of countries, stressed the need to avoid placing too great a burden on the financial and human resources of participating countries. A third representative cautioned that, given the resource constraints, the focus should be on the emerging issues endorsed by the Conference at its second session rather than on nominating new emerging issues.

119. One representative said that it was premature to include the issue of endocrine-disrupting chemicals on the agenda of the third session of the Conference because the science was relatively new, test methods were under development and scientific data were not yet available on most of the chemicals in question.

120. The resolution of the sub-item is described under section (c) below.

**(b) Environmentally persistent pharmaceutical pollutants**

121. Following an introduction by the representative of the secretariat, the representative of the International Society of Doctors for the Environment introduced the proposal, describing environmentally persistent pharmaceutical pollutants as biologically active chemicals that posed a threat to biodiversity and human health if released into the environment. Such chemicals had been detected in surface and drinking water sources, and the cumulative effects of exposure could lead to enhanced endocrine disruption and antibiotic resistance. Priority actions included regional capacity-building for permanent monitoring of drinking-water sources and sewage; studies on the most persistent pollutants with the highest risk to aquatic organisms, even at very low concentrations; awareness-raising on the risks of such pollutants, and on the need to promote responsible disposal of leftover medicines and to reduce unnecessary prescription; and the creation of an international, multi-stakeholder network of scientists, medical professionals, pharmaceutical manufacturers and wastewater treatment facilities, among others, possibly under the leadership of WHO. Consideration of the issue by the Conference would help to foster a more proactive approach to prevention for the protection of health and the environment.

122. In the ensuing discussion, several representatives endorsed the proposal, but others questioned its scope. Some said that the range of actions was overly broad, which might undermine efforts to tackle the problem, and that the focus should be narrowed to specific areas of Strategic Approach competency. One said that the Strategic Approach was not the appropriate forum to consider the safety of pharmaceutical products or the related health issues; that they should be dealt with in collaboration



with UNEP, WHO and other specialized bodies; and that further work needed to be done to refine the proposal and activities accordingly. In response, the representative of the International Society of Doctors for the Environment said that the proposal was not intended to cover the threat of pharmaceutical products per se but that of chemicals released into environment, which could be considered to be waste.

123. One representative said that her organization did not believe it necessary to implement additional, specialized and costly treatment or monitoring of drinking water at the current time. A recent WHO technical report on pharmaceuticals in drinking water suggested that exposure to the very low concentrations detected were unlikely to result in appreciable adverse risks to human health, and recommended preventive measures, such as public awareness-raising on appropriate disposal of pharmaceuticals and conventional water treatment methods, in addition to approaches to address local issues in relation to, among others, pharmaceutical manufacturing locations. In response, the representative of the International Society of Doctors for the Environment said that the WHO report did not focus on the impacts of chemicals on biodiversity, especially on antibiotic resistance, and that further evidence was required to ascertain the long-term effects of small doses of pharmaceuticals in drinking water.

124. One representative said that efforts to address environmentally persistent pharmaceutical pollutants must not have a bearing on the treatment of diseases; another suggested that the proposal should be extended to cover the use and disposal of all human and veterinary pharmaceuticals; and a third drew attention to that fact that the European Union granted authorization to market new pharmaceutical products strictly on the basis of a complete evaluation, and conducted regular risk assessments.

125. The resolution of the sub-item is described under section (c) below.

**(c) Way forward**

126. The Working Group agreed that the committee of the whole previously established would also consider the matter at issue. The committee's consideration of the item is set out in annex IV to the present report.

127. Following the committee's consideration of the two new nominated emerging policy issues, the President introduced a conference room paper that set out two draft decisions: one on endocrine-disrupting chemicals, and the other on environmentally persistent pharmaceutical pollutants.

128. One representative questioned whether the proposal for endocrine-disrupting chemicals fully met the criteria for an emerging policy issue. He said that developing countries and countries with economies in transition had limited resources and were facing obstacles in terms of finance, technology, capacity-building and information provision in their implementation of the Strategic Approach. Priority should be accorded to the implementation of existing emerging policy issues and it was inappropriate to make hasty decisions to set up new work areas without guaranteeing financial resources and undertaking sufficient research, as doing so would increase the burden on developing countries and countries with economies in transition.

129. Given that the Working Group was unable to reach consensus on whether endocrine-disrupting chemicals should be included on the provisional agenda of the third session of the Conference, it agreed that the draft decision on the subject would be forwarded to the Conference with square brackets indicating the areas on which consensus could not be reached.

130. Decision OEWG.1/4 A, on endocrine-disrupting chemicals, as adopted by the Working Group, is set out in annex I to the present report.

131. Decision OEWG.1/4 B, on environmentally persistent pharmaceutical pollutants, as adopted by the Working Group, is set out in annex I to the present report.

## **VI. Health sector strategy**

132. Introducing the item, the representative of the secretariat presented the note by the secretariat on a proposed strategy for strengthening the engagement of the health sector in the implementation of the Strategic Approach (SAICM/OEWG.1/15). She outlined the process followed for developing the proposed strategy in cooperation with WHO, and the six objectives of the strategy.

133. In the ensuing discussion, one representative said that the health sector had a unique role to play in sound chemicals management and endorsed the development of a strategy to strengthen engagement. She voiced support for the development of an action plan for the proposed strategy that was capable of achieving specific, measurable and time-bound results. Another representative called

for emphasis to be laid in the objectives on exchange of information on pharmaceutical products during their use, and for clear definitions of chemical and pharmaceutical products to avoid problems in implementation. A third, suggesting that the involvement of the health sector in the Strategic Approach in many countries was inadequate, urged cooperation with WHO, saying that it should work with member States to promote and disseminate the strategy. One representative drew attention to the regional scope of the health sector strategy under the leadership of WHO, saying that the key issue at the country level was national coordination, and that greater attention should be paid to renewed efforts to ensure full participation.

134. One representative drew attention to the positive involvement of private-sector organizations in the development of the proposed strategy. Another, speaking on behalf of a group of countries, stressed the importance of a sound strategy for fostering cooperation between health and environment experts, and endorsed the priorities and objectives set out in the note by the secretariat. The secretariat should check the guiding principles for consistency with the objectives of the Overarching Policy Strategy and to avoid overlap. Further elaboration of the toxicovigilance concept should be undertaken ahead of the third session of the Conference.

135. Another representative, while voicing support for the strategy, sought confirmation that the draft had been revised to incorporate all the comments received to date. She requested an extension of the period for receipt of comments to allow for further input before the third session of the Conference. Suggesting that the proposal in the strategy to develop case studies might not be suitable and that indicators and targets specific to the health sector strategy were not needed, she said that resources would be better used to identify pilot projects.

136. One representative outlined her organization's efforts to strengthen engagement. She said that it had been closely involved in developing the proposed strategy, referring to a number of activities to strengthen intersectoral initiatives such as through regional workshops with the participation of Strategic Approach and International Health Regulation focal points, among others, and she voiced support for the proposal on the development of case studies.

137. Two representatives stressed the need for greater emphasis on financial and technical assistance for developing countries and countries with economies in transition. One said that the strategy should be voluntary and, in view of the fact that circumstances differed by country, should not lay down precise targets, activities and definitions.

138. One representative drew attention to a case study linking health surveillance to environmental and biomonitoring activities in her region, which would serve as the basis for an awareness-raising campaign on hot spots of obsolete pesticide stockpiles, and for recommendations to the stakeholders involved.

139. The Working Group recommended the adoption of the health sector strategy as a supplement to the Overarching Policy Strategy of the Strategic Approach at the third session of the Conference.

## **VII. Preparations for the United Nations Conference on Sustainable Development**

140. Introducing the item, the representative of the secretariat said that the Bureau of the International Conference on Chemicals Management, at its second meeting, held in Ljubljana in June 2011, had expressed a wish to have collective input from Strategic Approach stakeholders into the preparatory process for the United Nations Conference on Sustainable Development so as to ensure that chemicals received due consideration in the outcomes of the conference. Recognizing that the first meeting of the Open-ended Working Group would afford a unique opportunity to discuss a collective strategy for participation in the preparatory process, the Bureau had requested the secretariat to include the current item on the agenda of the meeting.

141. One representative, speaking on behalf of a group of countries, expressed strong commitment to the preparatory process for the United Nations Conference on Sustainable Development. Progress had been made towards sound chemicals management with a view to attaining the 2020 goal, but renewed international commitment and better implementation and monitoring were required. Efforts to improve synergies in the chemicals and wastes clusters were welcome, but cooperation between new and existing instruments should be enhanced, with a focus on integrated financing options.

142. Many representatives said that the United Nations Conference on Sustainable Development afforded an opportunity to raise the profile of chemicals management. One highlighted the multi-stakeholder framework of the Strategic Approach, saying that it brought together government and non-government stakeholders to build trust and promote collaboration. Another said that there was

an urgent need to find safe alternatives to hazardous chemicals. A third said that the Conference on Sustainable Development represented an opportunity to call upon more stakeholders to provide funding for chemicals management in developing countries.

143. One representative warned that, while climate change and biodiversity issues currently attracted global attention and finance, chemical safety concerns were marginalized. He recommended focusing on key ideas, such as sustainability and finance, and the polluter-pays principle, and establishing a system under which the chemicals industry would bear the true costs of its products.

144. The secretariat took note of the comments made, undertaking to transmit them as input into the preparatory process for the United Nations Conference on Sustainable Development.

## **VIII. Planned activities and draft budget of the secretariat for the period 2013–2015**

145. Introducing the item, the representative of the secretariat presented a report on its activities during the period 2009–2011, and the proposed programme of work and budget of the secretariat for the period 2013–2015 (SAICM/OEWG.1/17).

146. In the ensuing discussion, a number of representatives, some speaking on behalf of groups of countries, expressed regret at the secretariat's current financial status and appealed for contributions to be made urgently with a view to placing the secretariat, and all the Strategic Approach activities, on a firmer financial footing. One welcomed the information that some posts in the secretariat had been filled, and said that action should be taken to ensure that full staffing was ensured forthwith.

147. Two representatives, one speaking on behalf of a group of countries, said that they had perused resolutions II/6 and II/10, and it appeared that the Working Group lacked a mandate to discuss the budget for the period 2013–2015; that task had been reserved for the Conference at its third session.

148. The Working Group, recalling that funding for the secretariat was provided on a voluntary basis, encouraged all Governments and organizations in a position to do so to contribute resources to enable the secretariat to perform its mandated functions in accordance with the indicative budget and staffing structure.

## **IX. Preparations for the third session of the International Conference on Chemicals Management**

149. Introducing the item, the President announced that the Bureau of the Conference had agreed that the third session of the Conference would take place in Nairobi from 17 to 21 September 2012.

150. One representative, speaking on behalf of a group of countries, welcomed the convening of the session in the latter half of 2012, as that would allow for discussions of the outcome of key events such as the United Nations Conference on Sustainable Development. He voiced support for the provisional agenda proposed by the secretariat.

151. The Working Group took note of the information provided.

## **X. Other matters**

152. No other matters were discussed.

## **XI. Adoption of the report**

153. The Working Group adopted the present report on the basis of the draft report circulated during the meeting, on the understanding that the Rapporteur would be entrusted with its finalization, in consultation with the secretariat.

## **XII. Closure of the meeting**

154. Following the customary exchange of courtesies, the President declared the meeting closed at 7.45 p.m.

## Annex I

### Decisions adopted by the Open-ended Working Group

#### Decision OEWG.1/1: Inclusion of new activities in the Global Plan of Action

##### I

#### Nanotechnologies and manufactured nanomaterials

*The Open-ended Working Group,*

*Recalling* resolution II/4 E of the International Conference on Chemicals Management on nanotechnologies and manufactured nanomaterials,

*Recalling also* the procedure for the inclusion of new activities in the Global Plan of Action of the Strategic Approach to International Chemicals Management,<sup>1</sup>

*Recognizing* the work undertaken at the workshops organized by the United Nations Institute for Training and Research held in connection with regional Strategic Approach meetings in 2011,

*Expressing appreciation* for the support provided by the Government of Switzerland for these workshops and for its work in developing a proposal to complement the Global Plan of Action of the Strategic Approach with the creation of a new work area and associated activities in relation to the environmentally sound management of nanotechnologies and manufactured nanomaterials,<sup>2</sup>

1. *Recommends* to the Conference that, at its third session, it include activities related to nanotechnologies and manufactured nanomaterials in the Global Plan of Action;
2. *Notes* that agreement on such inclusion was reached in principle for activities 4–6, 12–15, 21 and 22 in the proposal by the Government of Switzerland, and does not preclude editorial amendments to the wording of those activities from being made, and that such inclusion refers only to the content of the column entitled “New activity”;
3. *Also notes* that further discussions will be needed at the third session of the Conference on the other activities in the proposal by the Government of Switzerland;
4. *Recognizes* that to date no agreement has been reached on where new activities should be included in the Global Plan of Action;
5. *Requests* all stakeholders to clarify any remaining concerns on the activities in the proposal by the Government of Switzerland and to submit comments in this regard to the secretariat as soon as possible;
6. *Requests* the secretariat to compile any comments received from stakeholders and make them available on the Strategic Approach website;
7. *Requests* that this compilation be made available to inform the discussions at the third session of the Conference on inclusion of activities related to nanotechnologies and manufactured nanomaterials in the Global Plan of Action.

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1 SAICM/ICCM.2/15, annex II.

2 SAICM/OEWG 1/8, annex II.

## II

### **Hazardous substances within the life cycle of electrical and electronic products**

*The Open-ended Working Group,*

*Recalling* resolution II/4 D of the International Conference on Chemicals Management on hazardous substances within the life cycle of electrical and electronic products,

*Recalling* the procedure for the inclusion of new activities in the Global Plan of Action of the Strategic Approach to International Chemicals Management,<sup>3</sup>

*Recognizing* that hazardous substances within the life cycle of electrical and electronic products can pose severe risks to the health of workers and communities and the environment where such products are made, recycled and disposed of,

*Acknowledging* the successful realization of an international workshop on hazardous substances within the life cycle of electrical and electronic products and the fruitful discussions held in the context of regional Strategic Approach meetings in 2011,

1. *Recommends* to the Conference that, at its third session, it include new activities relating to hazardous substances within the life cycle of electrical and electronic products in the Global Plan of Action of the Strategic Approach;
2. *Requests* the secretariat to prepare, in cooperation with the secretariat of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, a document setting out the proposed additions to the Global Plan of Action for the consideration of the Conference at its third session, taking full account of the deliberations of the Open-ended Working Group and noting that no agreement has yet been reached on the text for inclusion in the Global Plan of Action;
3. *Also requests* the secretariat to make the above-mentioned document available for comment on the Strategic Approach website and to compile any comments received;
4. *Requests* that this compilation be made available to inform discussions at the third session of the Conference on inclusion of activities related to hazardous substances within the life cycle of electrical and electronic products in the Global Plan of Action.

### **Decision OEWG.1/2: Amending the time limit of the disbursement of funds under Quick Start Programme projects**

*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.

### **Annex**

#### **Resolution III/[ ]: Amending the time limit of the disbursement of funds under Quick Start Programme projects**

*The Conference,*

*Recalling* its resolutions I/4 and II/3,

*Recalling also* that, in paragraph 16 of resolution II/3, the Conference decided, in order to accommodate some potential donors' budgetary planning horizons and to facilitate the evaluation mentioned in paragraph 17 of that resolution, to allow the Quick Start Programme trust fund to remain open for voluntary contributions until the third session of the International Conference on Chemicals Management while the time limit for disbursement of funds from the trust fund would remain the end of 2013,

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3 SAICM/ICCM.2/15, annex II.

*Recognizing* the successes to date of the Quick Start Programme, including its trust fund, in providing support to developing countries and countries with economies in transition to undertake initial enabling activities to facilitate the achievement of the 2020 goal of the World Summit on Sustainable Development,

*Taking into consideration* that the demand for funding from the Quick Start Programme trust fund remains high and given that there are some Strategic Approach stakeholders requesting support for the first time and some approved projects that have not yet been financed from the trust fund,

*Having considered* the information in the notes by the secretariat providing an update on the Quick Start Programme<sup>4</sup> and its status,<sup>5</sup>

1. *Decides* that financial contributions received by the Quick Start Programme trust fund until the third session of the Conference and funds committed to projects by the end of 2013 may be disbursed until all approved projects in the portfolio are completed;

2. *Invites* the regional offices of the Food and Agriculture Organization of the United Nations, the United Nations Environment Programme and the World Health Organization, where necessary through their governing bodies, to mobilize human and technical resources to support the implementation of the Strategic Approach to International Chemicals Management, including the activities contained in the Global Plan of Action.

### **Decision OEWG.1/3: Emerging policy issues**

*The Open-ended Working Group,*

*Recalling* resolution II/4 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,<sup>6</sup>

*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;<sup>7</sup>

4 SAICM/OEWG.1/5.

5 SAICM/OEWG.1/INF/12/Rev.1.

6 *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. *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 in 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;
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 paint, 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 <sup>II/4 C</sup> 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 be included 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 effort 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 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 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 and 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 products<sup>8</sup>**

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
- (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

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<sup>8</sup> The present annex has been extracted from the report of the March 2011 workshop of 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 decision OEWG.1/3. It has not been formally edited.

- (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,<sup>9</sup> 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;

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<sup>9</sup> The identification, prioritization and completeness of the work area listed in subparagraphs (a)–(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.

- (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.]

## 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,<sup>10</sup>

*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 during 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,<sup>11</sup>

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

<sup>10</sup> *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.

<sup>11</sup> SAICM/OEWG.1/12.

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;

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 Programme 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).<sup>12</sup> In particular, information on the following aspects is required:

- (a) Product content and environmental releases;
- (b) 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.

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12 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).

**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;
  - (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.

**Decision OEWG.1/4: New emerging policy issues****A****Endocrine-disrupting chemicals**

*The Open-ended Working Group,*

*Mindful* of the overarching goal of the Plan of Implementation of the World Summit on Sustainable Development, as set out in paragraph 23, of ensuring that by 2020 chemicals are produced and use in ways that minimize significant adverse impacts on the environment and human health,<sup>13</sup>

*Mindful also* of the non-binding, voluntary and multi-stakeholder nature of the Strategic Approach to International Chemicals Management,

*Recognizing* the potential adverse effects of endocrine disruptors on human health and the environment,

*Recognizing also* the need to protect humans, and ecosystems and their constituent parts that are especially vulnerable, as set forth in, among others, paragraph 14 (b) of the Overarching Policy Strategy of the Strategic Approach,

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

*Recognizing* the continuing efforts by Strategic Approach stakeholders, including intergovernmental organizations and civil society, the scientific community and representatives of public interest non-governmental organizations, trade unions and the health sector,

<sup>13</sup> *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.

*Having considered* the proposal for endocrine-disrupting chemicals as a new emerging policy issue:

1. *[Agrees* that the proposal meets the criteria for an emerging policy issue;]
2. *Considers* that information dissemination and awareness-raising are particularly relevant;
3. *Recognizes* the current difficulties faced by some countries in mobilizing the resources required to tackle endocrine-disrupting chemicals as an emerging policy issue;
4. *[Recognizes* the merit of further discussions at the third session of the International Conference on Chemicals Management, and recommends that the Conference consider][*Encourages* the proponent to consider] the options contained in paragraph 5 of the note by the secretariat on nominated new emerging policy issues<sup>14</sup> in the light of work being undertaken by Strategic Approach stakeholders.

## **B**

### **Environmentally persistent pharmaceutical pollutants**

#### *The Open-ended Working Group*

1. *Considers* that some of the activities set out in the current proposal for environmentally persistent organic pollutants as a new emerging policy issue did not meet the criteria for the issue to be considered to be an emerging policy issue,
2. *Recognizes* the merit of further consideration of the issue by the International Conference on Chemicals Management, following its third session, and encourages the proponent to develop the proposal further.

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14 SAICM/OEWG.1/14.

## **Annex II**

### **Actions to tackle the funding problem**

1. The Open-ended Working Group invites Strategic Approach stakeholders, in particular Governments, which are primarily responsible for creating the conditions for environmentally sound management of chemicals, regional economic integration organizations and intergovernmental organizations in a position to do so, including those that had not yet contributed, to make contributions to the trust fund and to strive to reach the target of \$44.8 million in the Quick Start Programme business plan and to ensure that the non-trust-fund contributions remain, at a minimum, consistent with the Quick Start Programme business plan, or increase.
2. The Open-ended Working Group requests the secretariat to revitalize its efforts to implement the strategy, as set out in the business plan, for broadening the donor base in order to attract new and non-traditional donors to the Quick Start Programme trust fund, such as regional development banks and other international financial institutions, in addition to further contributions by the private sector, including the chemicals industry, among other things through outreach activities to bring the Strategic Approach objectives to their attention during the period until the third session of the International Conference on Chemicals Management.



## Annex III

### **Co-chairs' summary of the discussions on finance: possible long-term financing options for the Strategic Approach to International Chemicals Management**

1. The contact group on finance and technical assistance established by the Open-ended Working Group of the International Conference on Chemicals Management at its first meeting met on Friday, 18 November 2011, in Belgrade to consider possible long-term financing options for the Strategic Approach, in accordance with the agreed terms of reference (see appendix). It was co-chaired by Mr. Osvaldo Álvarez-Pérez (Chile) and Mr. Greg Filyk (Canada).
2. The contact group first considered financing to implement activities until 2020. It then considered the links to and elements of the consultative process on financing options for chemicals and wastes as they related to the Strategic Approach.
3. The present summary reflects the options and views expressed during the discussions by participants in the contact group. The contact group suggested that the Open-ended Working Group should present the summary as a working document in the six official languages of the United Nations to the International Conference on Chemicals Management at its third session, in 2012.
4. The contact group further recommended that the President of the Conference, in his capacity as the President of the Open-ended Working Group, should transmit a copy of the summary to the Executive Director of the United Nations Environment Programme (UNEP) for his consideration in the preparation of his final report to the Governing Council at its twelfth special session, in February 2012.
5. The contact group discussed two interrelated topics: financing to implement activities until 2020; and the links with the outcome of the consultative process on financing options for chemicals and wastes and elements of an integrated approach to financing chemicals and wastes in relation to the Strategic Approach. There was significant convergence in the discussions.
6. The options and views expressed in the discussions are detailed below.

#### **I. Financing to implement activities until 2020**

7. Participants discussed options for financing the implementation of activities until 2020 in the context of the Dubai Declaration on International Chemicals Management; paragraph 19 of the Strategic Approach's Overarching Policy Strategy; the successes to date of the time-bound Strategic Approach Quick Start Programme; and the outcomes specific to financing from the Strategic Approach regional meetings held before the meeting of the Open-ended Working Group.
8. Many participants agreed that all sources of funding should be considered for the long-term funding of the Strategic Approach. Moving beyond government resources, the need to tap into resources in the private sector was mentioned by many participants. Furthermore, some participants highlighted the need to look at ways to use resources more efficiently.

#### **A. Views expressed on mainstreaming chemicals management into national policy**

9. There was broad support for the need further to strengthen efforts to mainstream chemicals management into national policy as a key means for supporting the long-term financing of the Strategic Approach. Past mainstreaming efforts were seen by many as not having gone far enough in placing sound chemicals management higher on the broader development agenda. Participants from both recipient and donor countries gave examples of occasions when the chemicals agenda and the overall environment agenda had been overshadowed by development topics that had been accorded higher political priority and were thus prioritized for funding.
10. A number of participants voiced support for the suggestion to collect and collate examples and best practices of successful mainstreaming programmes that had obtained funding, and to make efforts to share that information widely as part of a capacity-building initiative on mainstreaming. Current work on mainstreaming by UNEP and the United Nations Development Programme (UNDP) was mentioned as a source in that regard, in terms of both national mainstreaming efforts and collaborative efforts with United Nations agencies. One participant cited a successful mainstreaming project in Uganda that could provide valuable lessons on the circumstances enabling mainstreaming activities.

The project had initially been enabled through a Quick Start Programme grant and had subsequently been able to secure substantial additional UNDP funding for further implementation activities.

11. The participants agreed that mainstreaming would need to be discussed at the third session of the International Conference on Chemicals Management, specifically in terms of the prioritization of sound chemicals management on national policy agendas, and the triggers or mechanisms that would be necessary at the national and international levels to activate mainstreaming resources for the long-term financing of Strategic Approach implementation. In that regard, one participant also referred to the Paris Declaration on Aid Effectiveness and the Accra Agenda for Action, which stated that priorities for aid were best set by recipient Governments as they had the best understanding of their countries' needs.

## **B. Views expressed on the role of industry**

12. A number of participants identified the potential of industry to contribute further to the long-term financing of sound chemicals management and the Strategic Approach through a balanced approach of both regulatory and voluntary frameworks. They also highlighted that it fell primarily to Governments to establish appropriate frameworks within which to engage industry for the sound management of chemicals.

13. One participant emphasized the importance of industry, saying that profit-oriented enterprises produced social and economic benefits but must equally take responsibility to ensure that environmental costs would be internalized. Some mentioned industry's role in the development of technology to support the sound management of chemicals. One participant also noted the importance of the green design concept.

14. It was mentioned that there was a need to share technology and transfer it to developing countries and countries with economies in transition, including through mechanisms such as regional centres.

15. It was highlighted that the sound management of chemicals could be linked with other areas within the environmental agenda, including climate, for example by using the Clean Development Mechanism under the United Nations Framework Convention on Climate Change. Reference was also made to initiatives in which industry worked with UNEP and others to harmonize regulations, including by sharing information on regulations.

## **C. Views expressed on external funding options**

16. A number of participants referred to the role of external funding options to implement activities until 2020. The new Global Environment Facility (GEF) window for Strategic Approach funding was praised.

17. In the context of funding for chemicals currently available in various funds, including GEF, several participants suggested that those amounts should be considered together in a more strategic and reinforcing manner so as to find ways to strengthen implementation. It was suggested that that could be done through clear policies or even a platform established with buy-in from all countries.

18. Comments were also made by several participants on the merits of putting forward a consolidated chemicals and wastes portfolio to raise funds from donors so as to gain access to more overall funds, as opposed to the current fragmented fund-raising approach that was specific to individual conventions, frameworks, issues or mechanisms within the broader field of sound management of chemicals and wastes.

## **D. Views expressed on a specific mechanism for the Strategic Approach**

19. Some participants identified the need for a stable mechanism for funds for the Strategic Approach after the time-limited Quick Start Programme. Ideally, that mechanism would be in place until 2020 and have characteristics similar to the current Programme in terms of its governance structure, eligibility criteria and scope of work (broadened to include implementation plans); receive voluntary contributions; include performance targets for review; and be independent, accountable and transparent. One participant said that there was a need to consider the practicalities of building a possible future funding mechanism on the basis of an existing structure, as opposed to setting up a new structure.

20. One participant highlighted the usefulness of such a funding mechanism supporting continued capacity-building activities in developing countries and countries with economies in transition to prioritize and mainstream sound management of chemicals into national development plans and move towards the attainment of the 2020 goal on chemicals.

21. Some participants commented on the Strategic Approach's specific role in triggering funding for issues that needed time to become fully understood as priorities, such as the link between health and chemicals. It was mentioned that, at times, developed and developing countries did not accord the same priority to such linkages, and that the Strategic Approach had an important role to play in bringing that issue forward to decision makers.

## **II. Outcome of the consultative process on financing options for chemicals and wastes, and the elements of the integrated approach in relation to the Strategic Approach**

22. A representative of the UNEP secretariat described the timeline of the next steps envisaged following the final meeting of the consultative process, in October 2011. That included the preparation of a report by the Executive Director to the Governing Council at its twelfth special session, in February 2012. The report would form the basis of discussion by the Governing Council on the way forward, including a possible decision on the nature of the process and the timetable and organization of work, to prepare for reaching possible decisions at the third session of the International Conference of Chemicals Management, in 2012, and the twenty-seventh session of the Governing Council, in 2013.

23. Another representative of the UNEP secretariat noted that the Executive Director was encouraged by the outcome of the consultative process and the proposal for an integrated approach. In his informal consultations with both developed and developing countries, a need for new, innovative and less fragmented ways to finance the chemicals and wastes agenda, including the Strategic Approach, had been expressed. He also noted that the biodiversity multilateral environmental agreements were interested in the consultative process and how a similar process might assist them in meeting their financing needs.

24. A number of participants observed that there was significant overlap in the options identified in the recently concluded discussion on financing implementation activities until 2020, and in the elements of the integrated approach as identified in the consultative process. Moreover, various participants noted that the elements of the integrated approach were broadly aligned with the scope of work under the Strategic Approach. In that regard, some highlighted that the integrated approach, which included explicit reference to the Strategic Approach, lent itself well to the broad scope of work of the Strategic Approach.

25. Some participants advocated the continuation of a separate funding mechanism under the Strategic Approach for implementation, whereas another questioned whether there was a need for an independent financial mechanism under the Strategic Approach, suggesting that a single approach might make more efficient use of resources and available funding.

26. Numerous participants called for a solution to long-term Strategic Approach funding as part of the wider chemicals and wastes cluster. They argued for integrating resources into one solution to, among other things, reduce administrative costs so as to make more resources available for implementation activities. They called for a broad approach, rather than one of separating available funds for chemicals into distinct parcels. One participant said that in the current financial climate pursuing separate funds could carry a risk and that for some traditional donors a larger pooled envelope would probably have more chance of success. The need for seed money for specific initiatives notwithstanding, a number of participants favoured that integrated envelope for the chemicals and wastes agenda.

27. Some participants referred to the growing momentum of the discussions on financing the overall chemicals and wastes agenda, particularly in the light of financing discussions as part of the negotiations towards a global legally binding instrument on mercury. Some highlighted that the current context of discussions on an overall strategy for financing the chemicals and wastes agenda was helpful.

28. One participant said that there was a need to give voluntary approaches such as the Strategic Approach their due consideration in funding discussions, even in times of scarce resources when priority might otherwise only be accorded to activities that supported legally binding obligations. Another noted the importance of in kind contributions, saying that there was a need to make the best

use of resources by focusing on priority issues. It was deemed important to continue identifying key gaps and to mobilize the most suitable type and variety of resources for those efforts.

29. One participant expressed concern that, while the country-driven consultative process on financing options had its distinct merits, the outcomes of discussions on an integrated approach to the overarching strategic direction of funding for the chemicals and wastes agenda and any new or modified structures that that might entail establishing, including possible added activities in the sixth replenishment of GEF, would not come in time to secure funding for implementation activities for 2020. By the time a new trust fund had been established, or the sixth replenishment completed, there would be only between three and five years until 2020. In that regard, one participant asked whether part of the integrated approach could be fast-tracked for early action.

30. In the light of the above, one participant called for more specific reference in the future discussions on the integrated approach to a time-limited mechanism for the Strategic Approach. A number pointed out that they did not want the good experiences of the Programme to be lost, while expressing the hope that the future funding mechanism would incorporate and/or build on the successes of the current system. To that end, one encouraged the sharing of experiences by Programme recipients with GEF, to assist continued efforts by GEF to improve Programme services. The possibility of a mechanism such as the Quick Start Programme under GEF was also raised.

31. The additional funds for chemicals made available by GEF was roundly welcomed, and some participants expressed the hope that that window could be broadened even further, recognizing nevertheless that GEF alone could not meet the entire funding needs for the chemicals arena. It was asked whether other funds within the participating organizations of the Inter-Organization Programme for the Sound Management of Chemicals could be linked to the implementation of the Strategic Approach. On the issue of broader involvement of stakeholders in the Strategic Approach implementation, a representative of the GEF secretariat said that the GEF Council had adopted a private-sector strategy that had set aside funds for private-sector activities. That work was being conducted with development agencies and could also be expanded to the chemicals arena.

32. The possibility was also raised of tapping into funds available in the field of health that could be of immediate benefit to the chemicals agenda.

33. One participant remarked that possibilities for in kind contributions for the sound management of chemicals had not yet received their due consideration in the consultative process and suggested that they merited further discussion.

## Appendix

### **Terms of reference for the contact group on financing and technical assistance of the Open-ended Working Group of the International Conference on Chemicals Management at its first meeting**

**Format:** contact group with two co-chairs

**Issues for discussion:**

Possible long-term financing options for the Strategic Approach:

- (a) Financing to implement activities until 2020;
- (b) Links with the outcome of the consultative process on financing options for chemicals and wastes;
- (c) Elements of an integrated approach for financing sound management of chemicals and wastes in relation to the Strategic Approach, namely:
  - (i) Mainstreaming of sound management of chemicals and wastes;
  - (ii) Industry involvement, including public-private partnerships and the use of economic instruments at the national and international levels;
  - (iii) A new trust fund similar to the Multilateral Fund for the Implementation of the Montreal Protocol;
  - (iv) Options between the establishment of a new GEF focal area on sound chemicals and wastes management; the expansion of the existing GEF chemicals focal area, or the establishment of a new GEF trust fund.

**Outcome:**

Co-chairs' summary of the options and views expressed during the contact group for further consideration at the third session of the International Conference on Chemicals Management.

## Annex IV

### Report of the committee of the whole

1. The Open-ended Working Group established a committee of the whole to consider the agenda items referred to it by the Working Group. The committee of the whole was chaired by Mr. Barry Reville (Australia).

#### **I. Implementation of the Strategic Approach (*continued*) (*agenda item 5*)**

##### **A. Evaluation of and guidance on the implementation, review and updating of the Strategic Approach (*agenda item 5 (a)*)**

###### **Addition of activities to the Global Plan of Action**

2. Taking up the matter following the discussions in plenary session, the committee expressed general support for the inclusion of the two proposals as legitimate Strategic Approach topics. Issues of concern included some of the language and a number of generalizations related to both proposals in document SAICM/OEWG.1/8, in addition to confusion in relation to the distinction between activities and areas of work under the Global Plan of Action. The UNEP Senior Legal Adviser explained that a new area of work might need to be created for any new activities that did not correspond to any existing areas. One representative drew attention to the difficulties that could arise in creating a new area of work, as it would involve having to reconsider all 36 existing areas.

3. The committee agreed to revisit the wording and structure of the proposed draft resolution.

4. Subsequently, following further consideration of the proposed additional activities, the committee approved for transmission to the Working Group a draft decision indicating to the Conference that while the two topics met the criteria for inclusion in the Global Plan of Action, a number of activities remained bracketed. A procedure for inviting further comment was developed so that the proposals could be revised ahead of the third session of the Conference.

##### **B. New and emerging policy issues (*agenda item 5 (c)*)**

###### **1. Emerging policy issues**

5. Taking up the matter following the discussions in plenary session, the committee discussed the general presentation of the emerging policy issues and agreed that, as the Working Group's recommendations on the items would take the form of an omnibus resolution to be forwarded to the Conference for possible consideration and adoption, it would be useful to shorten the resolutions as much as possible.

###### **(a) Lead in paint**

6. The committee expressed general support for the draft resolution proposed by UNEP and WHO set out in document SAICM/OEWG.1/9. Issues of concern included whether there was a need to simplify the draft resolution by removing some aspects; whether to include the target date of 2018 for elimination of lead in paint; the need to mention that, while national activities to eliminate lead in paint were important in their own right, they were also an enabling exercise in sound chemicals management and in implementing good practices; the lack of available data on lead in paint and the need to expand the information base to assist deliberations at the Conference; and the role of GEF in supporting action on lead in paint.

7. The committee agreed that interested representatives would revise the draft resolution to take account of the concerns expressed.

8. Subsequently, after in-depth informal discussions in a small group, the committee approved for transmission to the Working Group a revised version of the draft resolution proposed by UNEP and WHO.

**(b) Chemicals in products**

9. The committee expressed general support for the draft resolution set out in document SAICM/OEWG.1/10. Issues of concern included the use of the term “framework”; the role, process and size of the technical working group proposed in the draft resolution; the inclusion in the process of a capacity-building mechanism; how to ensure a free flow of information while protecting business confidentiality; the high complexity of projects owing to the diversity of many product sectors; potential over-reliance on the Globally Harmonized System of Classification and Labelling of Chemicals to the exclusion of other classification systems; and the relationship of the existing steering group to the technical working group.

10. The committee agreed that interested representatives would revise the draft resolution to take account of the concerns expressed.

11. Subsequently, after in-depth informal discussions in a small group, the committee approved for transmission to the Working Group a revised version of the draft resolution.

**(c) Hazardous substances in the life cycle of electrical and electronic products**

12. The committee suggested that the proposed resolution should be shortened and that replication of the work of other instruments such as the Basel Convention should be avoided. It agreed that interested representatives would revise the draft resolution to take account of the concerns expressed.

13. Following detailed consideration of the item by interested representatives, the committee approved for transmission to the Working Group a revised version of the draft resolution with some aspects remaining in square brackets to indicate the lack of consensus. The committee agreed that further written comments could be submitted.

**(d) Nanotechnologies and manufactured nanomaterials**

14. The Chair drew attention to a conference room paper setting out a draft resolution on nanotechnologies and manufactured nanomaterials for consideration and possible adoption at the third session of the Conference. While the committee expressed general support for the draft resolution, some concern was expressed as to the language used therein and it agreed that interested representatives would revise the draft resolution to take account of the concerns expressed.

15. Following detailed consideration of the item by interested representatives, the committee approved for transmission to the Working Group a revised version of the draft resolution.

**2. Managing perfluorinated chemicals and the transition to safer alternatives**

16. The committee noted the broad support previously expressed for the proposed global PFC group. Some clarification was requested on the scope of the perfluorinated chemicals to be considered in the group’s activities, potential duplication of work and whether sufficient attention had been paid to budgetary considerations. The representative of OECD suggested that comments on the terms of reference of the global PFC group and nominations to the group should be received as soon as possible.

17. Following detailed consideration of the item by interested representatives, the committee approved for transmission to the Working Group a revised version of the draft resolution.

**3. Nominated new emerging policy issues**

18. One representative expressed serious concern about the level of resources that would need to be dedicated to the two new emerging issues, if adopted, and could not therefore support their adoption at the current time.

**(a) International cooperation to promote awareness, understanding and action in respect of endocrine-disrupting chemicals**

19. The committee expressed general support for the proposal but voiced concern over the financial implications of implementing a new issue for the overall budget for the implementation of the Strategic Approach; the question of whether those costs would undermine work on existing issues; and the need to take into account the people affected by endocrine-disrupting chemicals. The representative of UNEP said that arrangements would be made to ensure that the costs were covered by the proponent and other interested organizations, and that Strategic Approach focal points would not be required to take any direct action beyond participating in awareness-raising meetings and activities.

20. Subsequently, the representative of UNEP presented a revised version of a draft decision that, after further consideration and amendment, was approved by the committee for transmission to the Working Group.

**(b) Environmentally persistent pharmaceutical pollutants**

21. The committee expressed general support for the proposal but voiced concern as to whether pharmaceutical products fell within the scope of the Strategic Approach or were a matter for the health sector; whether the costs of implementing the proposal would undermine existing work, especially in developing countries and countries with economies in transition; and whether the proposal, as it stood, should be considered a current priority. The UNEP Senior Legal Adviser clarified that pharmaceutical products were not within the scope of the Strategic Approach but chemicals released to the environment from their use or disposal might be covered if such releases were not within the purview of pharmaceutical regulations.

22. Subsequently, the representative of the International Society of Doctors for the Environment presented a revised version of the proposal in which the focus had shifted to chemicals in pharmaceutical products persistently released into the environment, and which would allow for further amendments from stakeholders in the period leading up to the third session of the Conference.

23. After extensive discussions, opinions remained divided as to whether the proposal fully met the criteria, and whether it could currently be considered to be a priority: several representatives said that the list of activities needed streamlining in order to fall within the scope of the Strategic Approach, and more consideration should be given to the matter of resources for developing countries and countries with economies in transition.

24. The committee decided that the Working Group should recommend that the Conference invite the proponent to develop the proposal further for possible future consideration following its third session.



## Annex V

## List of pre-session documents organized by agenda item

|                                                                                                                                                              |                                                                                                                                                             |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Item 2 (a): Organizational matters: adoption of the agenda</b>                                                                                            |                                                                                                                                                             |
| OEWG.1/1/Rev.1:                                                                                                                                              | Provisional agenda                                                                                                                                          |
| OEWG.1/1/Rev.1/Add.1:                                                                                                                                        | Annotations to the provisional agenda                                                                                                                       |
| <b>Item 3: Setting priorities and meeting goals</b>                                                                                                          |                                                                                                                                                             |
| OEWG.1/2:                                                                                                                                                    | Scenario note for the first meeting of the Open-ended Working Group of the International Conference on Chemicals Management                                 |
| Information document                                                                                                                                         |                                                                                                                                                             |
| OEWG.1/INF/15:                                                                                                                                               | Summary of the functions of the Open-ended Working Group                                                                                                    |
| <b>Item 4: Overview of activities under the Strategic Approach to International Chemicals Management for the period 2009–2011</b>                            |                                                                                                                                                             |
| OEWG.1/3:                                                                                                                                                    | Report on regional activities for the period 2009–2011                                                                                                      |
| Information document                                                                                                                                         |                                                                                                                                                             |
| OEWG.1/INF/11:                                                                                                                                               | Compilation of reports of regional meetings held in 2011                                                                                                    |
| <b>Item 5 (a): Implementation of the Strategic Approach: evaluation of and guidance on the implementation, review and updating of the Strategic Approach</b> |                                                                                                                                                             |
| OEWG.1/4:                                                                                                                                                    | Preparation for the evaluation of progress in the implementation of the Strategic Approach                                                                  |
| Information documents                                                                                                                                        |                                                                                                                                                             |
| OEWG.1/INF/1:                                                                                                                                                | Draft baseline estimates report (2006–2008): progress in implementation of the Strategic Approach to International Chemicals Management                     |
| OEWG.1/INF/2:                                                                                                                                                | First progress report on implementation of progress in implementation of the Strategic Approach: Results of preliminary data collection for 2009 and 2010   |
| OEWG.1/INF/2/Add.1:                                                                                                                                          | First progress report on implementation of progress in implementation of the Strategic Approach: Detailed results for the data collection for 2009 and 2010 |
| OEWG.1/INF/3:                                                                                                                                                | Report on Inter-Organization Programme for the Sound Management of Chemicals (IOMC) activities in SAICM implementation                                      |
| <b>Item 5 (b): Implementation of the Strategic Approach: financial and technical resources for implementation</b>                                            |                                                                                                                                                             |
| OEWG.1/5:                                                                                                                                                    | Update on the Quick Start Programme                                                                                                                         |
| OEWG.1/6:                                                                                                                                                    | Financial and technical resources for the implementation of the Strategic Approach to International Chemicals Management                                    |
| Information documents                                                                                                                                        |                                                                                                                                                             |
| OEWG.1/INF/12/Rev.1:                                                                                                                                         | Status of the Quick Start Programme                                                                                                                         |
| OEWG.1/INF/17:                                                                                                                                               | Outcome document of the consultative process on financing options for chemicals and wastes                                                                  |
| <b>Item 5 (c): Implementation of the Strategic Approach: new and emerging policy issues</b>                                                                  |                                                                                                                                                             |
| OEWG.1/7:                                                                                                                                                    | Emerging policy issues and managing perfluorinated chemicals and the transition to safer alternatives                                                       |
| OEWG.1/8:                                                                                                                                                    | Proposed additions to the Global Plan of Action of the Strategic Approach to International Chemicals Management                                             |
| OEWG.1/9:                                                                                                                                                    | Progress report on the implementation of resolution II/4 B on lead in paint                                                                                 |

|                                                                                                           |                                                                                                                                                                                                                   |
|-----------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| OEWG.1/10:                                                                                                | Report on the chemicals in products project, including draft recommendations                                                                                                                                      |
| OEWG.1/11:                                                                                                | Progress report on hazardous substances in the life cycle of electrical and electronic products                                                                                                                   |
| OEWG.1/12:                                                                                                | Progress report on nanotechnologies and manufactured nanomaterials                                                                                                                                                |
| OEWG.1/13:                                                                                                | Progress report on managing perfluorinated chemicals and the transition to safer alternatives                                                                                                                     |
| OEWG.1/14:                                                                                                | Nominated new emerging policy issues                                                                                                                                                                              |
| <b>Information documents</b>                                                                              |                                                                                                                                                                                                                   |
| OEWG.1/INF/4:                                                                                             | Becoming a contributor to the Global Alliance to Eliminate Lead Paint                                                                                                                                             |
| OEWG.1/INF/5/Rev.1:                                                                                       | Synthesis of findings under the Chemicals in Products Project including its draft recommendations                                                                                                                 |
| OEWG.1/INF/6:                                                                                             | Report of the International Workshop on the Chemicals in Products Project, 16–18 March 2011, Geneva, Switzerland                                                                                                  |
| OEWG.1/INF/7:                                                                                             | Report of the international workshop on hazardous substances within the life-cycle of electrical and electronic products, held in Vienna, from 29 to 31 March 2011                                                |
| OEWG.1/INF/8:                                                                                             | Report on nanotechnologies and manufactured nanomaterials                                                                                                                                                         |
| OEWG.1/INF/9:                                                                                             | Final versions of submissions for nominated new emerging policy issues                                                                                                                                            |
| OEWG1/INF/14/Rev.1:                                                                                       | Submission by Switzerland on nanotechnologies and manufactured nanomaterials                                                                                                                                      |
| <b>Item 6: Health sector strategy</b>                                                                     |                                                                                                                                                                                                                   |
| OEWG.1/15:                                                                                                | Proposed strategy for strengthening the engagement of the health sector in the implementation of the Strategic Approach                                                                                           |
| <b>Item 7: Preparations for the United Nations Conference on Sustainable Development</b>                  |                                                                                                                                                                                                                   |
| OEWG.1/INF/13:                                                                                            | Sound management of chemicals within the context of the United Nations Conference on Sustainable Development: key messages for the Implementation of the Strategic Approach to International Chemicals Management |
| OEWG.1/INF/18:                                                                                            | Contribution by the secretariat of the United Nations Environment Programme: Compilation Document for the United Nations Conference on Sustainable Development                                                    |
| <b>Item 8: Planned activities and draft budget of the secretariat for the period 2013–2015</b>            |                                                                                                                                                                                                                   |
| OEWG.1/17:                                                                                                | Activities and draft budget of the secretariat for the period 2013–2015                                                                                                                                           |
| <b>Item 9: Preparations for the third session of the International Conference on Chemicals Management</b> |                                                                                                                                                                                                                   |
| OEWG.1/18:                                                                                                | Preparations for the third session of the International Conference on Chemicals Management                                                                                                                        |
| <b>Information document</b>                                                                               |                                                                                                                                                                                                                   |
| OEWG.1/INF/10:                                                                                            | Report of second session of the International Conference on Chemicals Management, Geneva, 11–15 May 2009                                                                                                          |