

# **Thematic Workshop on Synergies for Capacity Building under International Agreements Addressing Chemicals and Waste Management**

Geneva, Switzerland  
30 March – 2 April 2004

## **Provisions in International Agreements Relevant to National Capacity Development: Draft Fact Sheets**

**TWS 8-4**

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**IOMC**

INTER-ORGANIZATION PROGRAMME FOR THE SOUND MANAGEMENT OF CHEMICALS  
A cooperative agreement among UNEP, ILO, FAO, WHO, UNIDO, UNCTAD and OECD



Geneva Environment Network



Secretariat of the Basel Convention  
United Nations Environment Programme



UNEP

### **About this Document**

This draft document was prepared for the *Thematic Workshop on Synergies for Capacity Building Under International Agreements Addressing Chemicals and Waste Management*, 30 March – 2 April 2004 in Geneva, Switzerland. The “draft fact sheets”, which are continually being reviewed, present the national capacity requirements and provisions in each of 11 international agreements. The results are summarized in a companion workshop document, “Summary Table of National Capacity Requirements under International Agreements”. The categories are based upon Programme Area E of Chapter 19, as well as a review of the explicit provisions contained in the agreements themselves. The exercise has been a challenging one and we hope that this draft document will provide a useful starting point for discussion and analysis of synergies among the agreements.

In particular, we ask that the following questions are considered when reviewing the document:

- Is the analysis in this document considered useful and should the document be further developed or expanded?
- Are the selected issues appropriate? Which ones are missing? Which should be modified?
- Should issues not explicitly found in the agreement texts be included? For example, some capacity issues are dealt with by decisions of parties and not included in the original agreement text, while other capacity requirements may be implicit in nature.
- Some provisions of agreements can be placed in more than one category – would it be helpful to cross-reference those provisions?
- Should other chemicals and wastes agreements be included?
- Is the presentation of the information (e.g. format) user-friendly?

We look forward to continuing to develop and refine these fact sheets during and in follow-up to the workshop in order to make them as accurate as possible. Your contribution to the further development of this document is sincerely appreciated.

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**Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice  
in Environmental Matters**

<b>Chapter 19, Agenda 21: Elements for sound chemicals management</b>	<b>Issue</b>	<b>Aarhus Convention: Relevant Provisions</b>
<b>(A) Adequate Legislation</b>	Generic Legislation	Article 3 (1) requires that Parties take the necessary legislative, regulatory and other measures to implement the provisions of the Convention.
	Import/Export Control Legislation	
	Enabling Legislation for Chemical Use Restrictions/Bans	
<b>(B) Information Gathering and Dissemination</b>	Development of chemical lists and/or inventory	
	Emissions reporting	Article 4 (4) (f) obliges Parties to disclose information on emissions which is relevant for the protection of the environment. Article 5 (9) requires Parties to take steps to develop a coherent national pollutant inventories or registers.
	National information systems/exchange	Article 5 (1) (b) requires Parties to establish mandatory systems so that there is an adequate flow of information to public authorities about activities which may significantly affect the environment. Article 5 (2) requires Parties to make environmental information accessible to the public via lists, registers or files. Article 5 (3) requires the progressive introduction of electronic means of environmental information. Article 5 (9) specifies that information contained in the national pollutant inventory should be publicly accessible.
	International information exchange	Article 10 (1) (b) requires Parties to exchange information regarding experience gained in concluding and implementing bilateral and multilateral agreements or other arrangements to which one or more of the Parties are a party.
	Hazard data generation	
	Data confidentiality	Article 2 (3) defines environmental information. Article 4 (4) specifies that request for information can be denied if the confidentiality of the proceedings of public authorities (a), legitimate economic interests (d) or the confidentiality of personal data and/or files relating to a natural person where this person has not consented to the disclosure of the information to the public (f) are compromised. Information on emissions does not fall within this category.
	Access to information	Article 4 requires Parties to grant the public access to environmental information

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<b>Chapter 19, Agenda 21: Elements for sound chemicals management</b>	<b>Issue</b>	<b>Aarhus Convention: Relevant Provisions</b>	
<b>(C) Capacity for Risk Assessment and Interpretation</b>	Hazard assessment / Classification		
	Hazard / risk communication (e.g. labeling)	Article 5 (8) requires Parties to develop mechanism with a view to ensuring that sufficient product information is made available to the public in a manner which enables consumers to make information environmental choices.	
	Risk assessment		
<b>(D) Establishment of Risk Management Policy</b>	Packaging requirements		
	Capacity for risk management decision-making		
	Chemical-specific use restrictions/bans e.g. DDT, Lindane		
	Life-cycle management		
	Precautionary principle/approach		
<b>(E) Capacity for Implementation and Enforcement</b>	General Implementation Issues	Focal points	
		Interministerial Coordination	
		Stakeholder Involvement	Article 3 (4) requires Parties to provide for appropriate recognition of and support to associations, organizations and groups promoting environmental protection. Article 6, 7 and 8 contain requirements for public participation in specific activities (art.6), plans, programmes and policies (art.7) and executive regulations and/or generally applicable legally binding instruments (art. 8)
		Resource Mobilisation	
		Technical assistance	

**Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice  
in Environmental Matters**

<b>Chapter 19, Agenda 21: Elements for sound chemicals management</b>		<b>Issue</b>	<b>Aarhus Convention: Relevant Provisions</b>
		Training / skills building	
		Technology transfer	
		Development of alternatives	
		Evaluation of Implementation	Article 10 (2) requires Parties to review the implementation of the Convention on the basis of regular reporting by the Parties.
	Enforcement	Capacity for chemical analysis/monitoring	
		Enforcement of regulations/decisions	
		Access to Justice	Article 9 contains provisions requiring regulation of public access to justice concerning environmental matters.
<b>(F) Capacity for Rehabilitation of Contaminated Sites and Poisoned Persons</b>			
<b>(G) Effective Education programmes</b>			Article 3 (3) requires Parties to promote environmental education and awareness among the public.
<b>(H) Capacity to Respond to Emergencies</b>			

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**Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal**

Including: Protocol on Liability and Compensation (P) and Basel Declaration on Environmentally Sound Management (BD)

<b>Chapter 19, Agenda 21: Elements for sound chemicals management</b>	<b>Issue</b>	<b>Basel Convention: Relevant Provisions</b>
<b>(A) Adequate Legislation</b>	Generic Legislation	Article 4.4 requires Parties to take appropriate legal, administrative and other measures for the implementation and enforcement of the Convention.
	Import/Export Control Legislation	Articles 4.1(b) and (c) require Parties to prohibit the export of hazardous wastes and other wastes to Parties which have prohibited their import, as well as to States of import that have not prohibited their import but which have not consented in writing to the specific import.
	Enabling Legislation for Chemical Use Restrictions/Bans	Article 9.5 requires Parties to introduce appropriate legislation to prevent and punish illegal traffic; and Article 4.3 considers that illegal traffic in hazardous waste or other wastes is criminal. Articles P. 1, 3, 4, 5, 6 define a comprehensive regime for liability and compensation for damage arising from transboundary movement of hazardous wastes and other wastes and including incidents occurring because of illegal traffic in those wastes.
<b>(B) Information Gathering and Dissemination</b>	Development of chemical lists and/or inventory	Article 13.3 refers to national lists of hazardous waste (listed in Annexes I and VIII) together with special notes listed in Annex II, origin, type, quantity, etc. (defined in Annex V) and disposal method (defined in Annex IV), also qualified statistics of their effect on human health and the environment.
	Emissions reporting	
	National information systems/exchange	
	International information exchange	Article 10.2(a) requires Parties to make information available upon request, with a view to promoting the environmentally sound management of hazardous wastes and other wastes. Article 13.1 requires Parties to inform States in the case of an accident occurring during the transboundary movement of hazardous wastes, which are likely to present risks to human health and the environment; Article 13.2 requires Parties to inform each other of changes regarding competent authorities/focal points and national definition of hazardous wastes, decisions to limit or ban the export of hazardous wastes etc.; Article 13.3 requires Parties to provide an annual report on transboundary hazardous wastes movements (including its origin, type, quantity, etc) and qualified statistics of their effect on human health and the environment.
	Hazard data generation	
	Data confidentiality	
Access to information		

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<b>Chapter 19, Agenda 21: Elements for sound chemicals management</b>	<b>Issue</b>	<b>Basel Convention: Relevant Provisions</b>
<b>(C) Capacity for Risk Assessment and Interpretation</b>	Hazard assessment / classification	Annex III (List of Hazardous Characteristics) provides a listing that corresponds to the hazard classification system included in the United Nations Recommendations on the Transport of Dangerous Goods for those characteristics.
	Hazard / risk communication (e.g. labeling)	Article 4.7(b) requires that hazardous and other wastes subject to transboundary movements be packaged, labeled and transported in conformity with international standards of labeling.
	Risk assessment	
<b>(D) Establishment of Risk Management Policy</b>	Packaging requirements	Article 4.7(b) requires that hazardous and other wastes subject to transboundary movements be packaged, labeled and transported in conformity with international standards of labeling.
	Capacity for risk management decision-making	
	Chemical-specific use restrictions/bans e.g. DDT, Lindane	
	Life-cycle management	The Preamble refers to states taking necessary measures to manage hazardous waste generation, movements and disposal in an environmentally sound manner. Life-cycle management is referred to in the Basel Declaration on Environmentally Sound Management.
	Precautionary principle/approach	
<b>(E) Capacity for Implementation and Enforcement</b>	Focal points	Article 5 requires the establishment of a focal point, and competent authority, for receiving and submitting information as provided for in Article 13.
	Interministerial Coordination	
	Stakeholder Involvement	

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<b>Chapter 19, Agenda 21: Elements for sound chemicals management</b>	<b>Issue</b>	<b>Basel Convention: Relevant Provisions</b>	
	General Implementation Issues	Resource Mobilisation	Article 14 recommends voluntary funding of training centers and a revolving emergency fund for accidents arising from transboundary movements; Article P.15 generally refers to use of existing mechanisms to cover costs of damage under the protocol and the development of supplementary measures, the financial limits being described in P. Annex B.
		Technical assistance	Article 10.2(d) requires co-operation between Parties, subject to national legislation, in developing technical capacity among Parties, especially those requiring technical assistance in the field; Article 10.3 requires Parties to take appropriate means to co-operate in order to assist developing countries in management, monitoring effects, developing technologies and technology transfer.
		Training / skills building	Article 14 refers to the establishment of regional centers for technology transfer and training.
		Technology transfer	Article 10.2(d) requires co-operation between Parties, subject to national legislation, in the transfer of technology, management systems and technical capacity related to environmentally sound management of hazardous wastes and other wastes; Article 14 refers to the establishment of regional centers for technology transfer and training. The Parties agreed that, according to specific needs of the different regions and sub-regions, regional or sub-regional centres for training and technology transfer (BCRCs) regarding the management of hazardous wastes and other wastes and the minimization of their generation should be established.
		Development of alternatives	The Convention visualizes the possibility of toxic chemicals beyond those listed in the Annex on Chemicals. Article XV provides the means for amending the Convention.
		Evaluation of Implementation	Article 13.3 refers to annual transmission by Parties to the COP of national transboundary movements and measures adopted by them in implementing the Convention. BD para. 6(i) refers to the need to develop mechanisms for monitoring effective implementation of the Convention.
	Enforcement	Capacity for chemical analysis/monitoring	
		Enforcement of regulations/decisions	Articles 4.1(b) and (c) require Parties to prohibit the export of hazardous wastes and other wastes to Parties which have prohibited their import, as well as to States of import that have not prohibited their import but which have not consented in writing to the specific import. Article 6.4 requires Parties to provide prior written consent by the importing Party before exports are undertaken. Article 8 requires exporting Parties to re-import hazardous wastes and other wastes when a transboundary movement cannot be completed in accordance with the terms of the contract.

**Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal**

Including: Protocol on Liability and Compensation (P) and Basel Declaration on Environmentally Sound Management (BD)

<b>Chapter 19, Agenda 21: Elements for sound chemicals management</b>	<b>Issue</b>	<b>Basel Convention: Relevant Provisions</b>
	Access to Justice	Article P 4.6 specifies (obligates) that if two or more persons are liable for damage, the claimant shall have the right to seek full compensation for the damage from any or all of the persons liable.
<b>(F) Capacity for Rehabilitation of Contaminated Sites and Poisoned Persons</b>		
<b>(G) Effective Education programmes</b>		Article 10.4 refers to the promotion of public awareness; BD para. 6(g) generally refers to the need to enhance information exchange, education and awareness-raising in all sectors of society.
<b>(H) Capacity to Respond to Emergencies</b>		Article 14 recommends the establishment of a revolving emergency fund for accidents arising from transboundary movements.

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**Chemical Weapons Convention (also addressing dual purpose chemicals)**  
(Including reference to the First Review Conference (RC), RC-1/CoW.1, 9<sup>th</sup> May 2003)

<b>Chapter 19, Agenda 21: Elements for sound chemicals management</b>	<b>Issue</b>	<b>CWC: Relevant Provisions</b>
<b>(A) Adequate Legislation</b>	Generic Legislation	Article VII.1 requires national implementation measures while Article VII.5 refers to the obligation of States Parties to inform the Organisation of the legislative measures taken by States Parties to implement the Convention. Article VI.2 refers to adoption of necessary measures for activities not prohibited under the Convention.
	Import/Export Control Legislation	Article XI.2(e) requires that national regulations concerning trade in chemicals be brought into line with the purpose of the Convention.
	Enabling Legislation for Chemical Use Restrictions/Bans	
<b>(B) Information Gathering and Dissemination</b>	Development of chemical lists and/or inventory	
	Emissions reporting	
	National information systems/exchange	Articles VI.11 and XI.1 & 2(b) requires the Convention is implemented in a manner which avoids hampering the Parties' development and exchange of scientific and technical information on chemicals for the production, processing or use of chemicals for purposes not prohibited under the Convention. The First Review Conference (RC) RC 55 and RC 105 & 106 reaffirmed this right. Article IX.2 refers to exchange of information to clarify concerns about any matter.
	International information exchange	Article VI.4 & 5 requires States Parties to subject Schedule 2 and 3 chemicals listed in the Annex on Chemicals and related facilities to the declaration and verification measures set out in Verification Annex (VA) Parts VII and VIII. VA Part IX deals with declarations including initial declarations (Article VI.7) and annual declarations (Article VI.8) of industrial facilities producing unscheduled discrete organic chemicals (including those containing phosphorus, sulphur or fluorine – "PSF chemicals"). Article X.3 refers to the exchange of scientific and technological information concerning means of protection against chemical weapons. Article X.4 requires States Parties to submit annually information on their national protective programmes. Article X.5 requires the OPCW Secretariat to establish, for the use by any State Party, a data bank containing information concerning various means of protection against chemical weapons. The Confidentiality Annex, paragraph 2(b), requires the OPCW to submit certain data such as initial and annual reports and declarations submitted by States Parties and other data to all States Parties. The First Review Conference encouraged States Parties to

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		avail themselves of their right to receive and examine such data pertaining to other States Parties (RC-1/5.7.39(c)). Article III.1 (e) requires States Parties to declare the chemicals they hold for riot control purposes, and to update this declaration within 30 days after any change becomes effective.
	Hazard data generation	
	Data confidentiality	Article VII.6 requires treatment and handling of confidential information and data received in confidence from the Organisation in connection with the implementation of the Convention. Article VIII.A.5 refers to confidentiality of information detailed in the 'Confidentiality Annex'. VA Part X.48 refers to confidentiality of data not related to chemical weapons. The importance of protecting confidentiality was reaffirmed in RC 7.111-119.
	Access to information	The 'Annex on Confidentiality' states the categories of information accessible are general information on the implementation of the Convention and information expressly released by the Party to which it refers.
<b>(C) Capacity for Risk Assessment and Interpretation</b>	Hazard assessment / classification	The 'Annex on Chemicals' refers to criteria for characterizing toxic chemicals and their precursors and whether they should be considered as Schedule 1, 2 or 3 chemicals.
	Hazard / risk communication (e.g. labeling)	
	Risk assessment	
<b>(D) Establishment of Risk Management Policy</b>	Packaging requirements	
	Capacity for risk management decision-making	
	Chemical-specific use restrictions/bans e.g. DDT, Lindane	Article VI.3 requires each State Party to subject Schedule 1 chemicals to the prohibitions on production, acquisition, retention, transfer and use set out in VA Part VI. Article VI and VA Parts VII and VIII refers to conditions of production, use and verification for Schedule 2 & 3 chemicals.

**Chemical Weapons Convention (also addressing dual purpose chemicals)**  
(Including reference to the First Review Conference (RC), RC-1/CoW.1, 9<sup>th</sup> May 2003)

<b>Chapter 19, Agenda 21: Elements for sound chemicals management</b>		<b>Issue</b>	<b>CWC: Relevant Provisions</b>
		Life-cycle management	
		Precautionary principle/approach	
<b>(E) Capacity for Implementation and Enforcement</b>	General Implementation Issues	Focal points	Article VII.4 refers to the establishment of National Authority to serve as a national focal point for liaison with other States Parties and with the OPCW.
		Interministerial Coordination	
		Stakeholder Involvement	
		Resource Mobilisation	Article X.9-11 contains required procedures for the mobilization of assistance pledges from States Parties in case CW have been used against a State Party, or riot control agents have been used against it as a method of warfare, or a State Party is threatened by activities of a State not party that are prohibited under the CWC.
		Technical assistance	Article VIII.38(e) requires the Secretariat to provide technical evaluation and technical assistance to States Parties. The First Review Conference encouraged the Secretariat to continue with these efforts (RC-1/5, paragraph 7.33 and 7.59) in relation to the identification of declarable facilities, the submission of declaration data, the receipt of inspections and other technical issues that may arise from the implementation of the Convention. Article X.3 encourages States Parties to facilitate, and recalls their right to participate in, the fullest possible exchange of equipment, material and scientific and technological information concerning means of protection against chemical weapons. Article X.5 requires the Secretariat to provide expert advice and assist States Parties in the development and improvement of their protective capacity against chemical weapons. RC 7.81 and RC 7.108 (c) - (f) refers to the provision of technical assistance, training of National Authority personnel, legal assistance, and projects aimed at national capacity building relative to implementation of the Convention.
		Training / skills building	RC 7.81 and RC 7.108 (c) - (f) refers to the provision of technical assistance, training of National Authority personnel, legal assistance, and projects aimed at national capacity building relative to implementation of the Convention.
		Technology transfer	
		Development of alternatives	

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		Evaluation of Implementation	Article VIII.22 requires the Review Conferences to review the operation of the Convention, as a rule every 5 years. The First Review Conference evaluated national implementation of the CWC (RC-1/5, paragraphs 7.74-7.83) and called for the adoption of an Action Plan of the OPCW to improve national implementation (RC-1/5, paragraph 7.83(h)). This Action Plan has been adopted in October 2003 and aims at all States Parties enacting the necessary implementing legislation and adopting the required administrative implementation measures by November 2005.
	Enforcement	Capacity for chemical analysis/monitoring	Paragraphs 52-58 of Part II of the Verification Annex refers to provisions for sampling and analysis capability whose application for inspections and investigations of alleged use are specified in other parts of the Verification Annex. Paragraph 56 of Part II of the Verification Annex requires the OPCW Director-General, inter alia, to designate laboratories in States Parties for the analysis of verification samples and to oversee the standardization of equipment and procedures at these laboratories.
		Enforcement of regulations/decisions	Article XII requires the Conference to take necessary measures to ensure compliance with the Convention. Paragraph 56 of Part II of the Verification Annex requires the OPCW Director-General, inter alia, to designate laboratories in States Parties for the analysis of verification samples and to oversee the standardization of equipment and procedures at these laboratories.
		Access to Justice	
<b>(F) Capacity for Rehabilitation of Contaminated Sites and Poisoned Persons</b>			
<b>(G) Effective Education programmes</b>			RC-1/5, 779 noted that the public at large as well as scientific and technological communities should be aware of, and have knowledge about the requirements of the Convention; RC 7.108(g) refers similarly to awareness of civil society.
<b>(H) Capacity to Respond to Emergencies</b>			Article VIII.D requires the Technical Secretariat to coordinate the establishment and maintenance of permanent stockpiles of emergency and humanitarian assistance. Article X.6 states that nothing in the Convention shall impede the right of Parties to request and provide bilateral emergency assistance. Article X.7(b) requires each Party to conclude an agreement with the Organisation on the procurement, upon demand, of assistance and Article X.9 outlines the procedure for dispatching such emergency assistance; Article X11 requires the Director General to notify Parties and take emergency measures of assistance in the case that there are victims of use of chemical weapons and immediate action is indispensable.

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**FAO International Code of Conduct on the Distribution & Use of Pesticides (Revised Version)**

<b>Chapter 19, Agenda 21: Elements for sound chemicals management</b>	<b>Issue</b>	<b>FAO Code: Relevant Provisions</b>
<b>(A) Adequate Legislation</b>	Generic Legislation	Articles 6.1.1 and 6.1.2 recommend governments introduce legislation for regulation, registration and enforcement of pesticides, taking local needs and conditions into account; Article 6.1.5 recommends governments incorporate international guidelines for pesticide registration into national legislation; Article 8.1 recommends governments develop regulations and implement licensing procedures relating to the sale of pesticides.
	Import/Export Control Legislation	
	Enabling Legislation for Chemical Use Restrictions/Bans	
<b>(B) Information Gathering and Dissemination</b>	Development of chemical lists and/or inventory	Article 10.5 recommends governments establish an inventory of obsolete or unusable stocks of pesticides and used containers.
	Emissions reporting	
	National information systems/exchange	Article 5.1 recommends governments gather information about exposures, poisonings and contaminations, and Article 5.4 recommends responsible dissemination of information. Article 6.1.8 recommends governments collect and record data on the import, export, manufacture, formulation, quality, quantity and use of pesticides in order to assess the extent of effects on human health or and the environment, and to follow trends in pesticide use; 6.2.7 recommends the pesticide industry provide import/export data to national governments. Article 9.1.1 recommends that governments promote the establishment and strengthening of networks for information exchange between regulatory authorities to strengthen co-operation; Article 9.1.2.2 recommends the exchange of industrial, scientific, technical, economic, regulatory, legal information toxicology, environmental and safety data; Article 9.4.1 recommends all Parties support information exchange and access to information regarding pesticide residues in food and related regulatory actions.
	International information exchange	Article 9.4.2 encourages collaboration between public sector groups, international organizations, governments and other interested stakeholders to ensure that countries are provided with the information they need to meet the objectives of the Code.
	Hazard data generation	Article 4.1.1 recommends that the pesticide industry ensure that each pesticide and pesticide product is adequately and effectively tested by recognized procedures and test methods so as to fully evaluate its efficacy, behaviour, fate, hazard and risk.
Data confidentiality		

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<b>Chapter 19, Agenda 21: Elements for sound chemicals management</b>	<b>Issue</b>	<b>FAO Code: Relevant Provisions</b>
	Access to information	Article 9.1.1 recommends governments promote the establishment or strengthening of networks for information exchange on pesticides through public sector groups (among others); Article 9.2.1 encourages governments develop legislation on the provision of information to the public about pesticide risk and the regulatory process.
<b>(C) Capacity for Risk Assessment and Interpretation</b>	Hazard assessment / classification	Article 6.2 recommends the pesticide industry ensure that pesticides conform to FAO and WHO pesticide specifications; Article 7.2 recommends governments use, when appropriate, WHO classification of pesticides by hazard class when determining product risk; Article 8.2 recommends the pesticide industry ensure that pesticides entering international trade conform to current international classification.
	Hazard / risk communication (e.g. labeling)	Articles 3.4.1, 3.4.3, 7.4, 8.2.1.2 and 10.1 recommends pesticides are adequately labeled as appropriate for each specific market, to reduce risks to the general public, to minimize adverse effects on the environment and following FAO Guidelines in this respect. Article 8.2.7 recommends that the pesticide industry ensure that persons involved in the sale of pesticides have access to sufficient information, such as material safety data sheets.
	Risk assessment	Article 6.1.3 recommends governments conduct risk evaluations and make risk management decisions as part of the registration process Articles 4.4 and 6.2.1 recommend international organizations, exporting countries and industry provide data and assistance for developing countries to undertake risk assessments and risk/benefit analysis.
<b>(D) Establishment of Risk Management Policy</b>	Packaging requirements	Articles 3.4.1, 3.4.3, 3.4.4, 7.4, 8.2.1.2, 10.3.1 and 10.3.2 recommend pesticides are adequately packed as appropriate to each specific market, to reduce risks to the general public, to minimize adverse effects on the environment and following FAO Guidelines in this respect.
	Capacity for risk management decision-making	Articles 6.1.3 and 6.2.1 recommend risk management decisions be based on all available data or information, as part of national pesticide registration process and risk assessment respectively.
	Chemical-specific use restrictions/bans e.g. DDT, Lindane	Article 7.5 refers to the desirability of prohibiting the importation, sale and purchase of highly toxic and hazardous products, including those in WHO Class 1a and 1b if national control measures are inadequate. Annex 1 lists other international instruments relevant to pesticides, some of which contain specific restrictions and/or bans (e.g., the Stockholm Convention).
	Life-cycle management	Article 1.7.5 (on the objectives of the Code) refers to the adoption of the life cycle concept from development through to disposal.
	Precautionary principle/approach	
	Focal points	

**FAO International Code of Conduct on the Distribution & Use of Pesticides (Revised Version)**

<b>Chapter 19, Agenda 21: Elements for sound chemicals management</b>		<b>Issue</b>	<b>FAO Code: Relevant Provisions</b>
<b>(E) Capacity for Implementation and Enforcement</b>	General Implementation Issues	Interministerial Coordination	Article 9.1.2 recommends governments facilitate the exchange of information between regulatory authorities to strengthen cooperative efforts.
		Stakeholder Involvement	Article 3.8 recommends that all stakeholders should play an active role in the development and promotion of integrated pest management. Article 9.2.2 refers to governments developing the administrative procedures to provide transparency and facilitate public participation in the pesticide regulatory process. Article 9.4.2 recommends Parties encourage collaboration between all sectors and stakeholders to ensure that countries are provided with the information need to meet the objectives of the Code.
		Resource Mobilisation	Article 6.3 recommends funding agencies, development banks and others to support developing country requests for financial assistance for facilities and expertise for pesticide management and control systems.
		Technical assistance	Article 3.3.1 recommends governments of pesticide exporting countries provide technical assistance to other countries, especially those lacking technical expertise in the assessment of the relevant data on pesticides. Articles 4.4 and 6.2.1 recommends international organizations, exporting countries and industry providing data and assistance for developing countries to undertake risk assessments and risk/benefit analysis. Article 5.1.5 recommends governments help develop poisons information and poison control centers; Article 6.3 recommends technical assistance funding agencies, development banks and bilateral agencies to be encouraged to give high priority to requests for assistance from developing countries which do not yet have the facilities and expertise for pesticide management and control system.
		Training / skills building	Article 4.1.6 recommends the pesticide industry provide training for technical staff involved in related analytical work; Article 4.4 recommends that exporting governments and international organizations should assist developing countries in training personnel on trial design and conduct and the interpretation and evaluation of test data; and should also promote availability to, and use by developing countries, of appropriate international assessments and evaluations of pesticide hazards and risks. Article 8.2.7 recommends that the pesticide industry ensure that persons involved in the sale of pesticides are trained adequately.
		Technology transfer	Article 4.3 recommends international organizations and other interested bodies, within available resources, consider assisting in the establishment of analytical laboratories, or strengthening existing laboratories, in pesticide importing countries, noting that these laboratories should possess the necessary expertise and have adequate analytical equipment and supplies, and up-to-date analytical methods.
		Development of alternatives	Article 3.9 recommends government encourage the development of alternatives posing fewer risks and/or of low risk to humans and the environment. Articles 3.7 and 3.8 recommend concerted efforts are made to develop and promote the use of Integrated Pest Management (IPM).
		Evaluation of Implementation	Article 12.7 recommends governments, in collaboration with FAO should monitor observance of the Code. Article 12.8 invites the pesticide industry to provide reports to the FAO Director General. Article 12.9 invites NGOs and other

**FAO International Code of Conduct on the Distribution & Use of Pesticides (Revised Version)**

<b>Chapter 19, Agenda 21: Elements for sound chemicals management</b>		<b>Issue</b>	<b>FAO Code: Relevant Provisions</b>
			interested parties to monitor activities related to the implementation of the Code and report these to the Director General. Article 12.10 recommends the governing bodies of the FAO periodically review the relevance and effectiveness of the Code.
	Enforcement	Capacity for chemical analysis/monitoring	Article 4.1.6 recommends the pesticide industry provides training for technical staff involved in related analytical work; Article 4.3 recommends international organizations and other interested bodies consider assisting in the establishment or strengthening of existing analytical laboratories, noting that these laboratories should possess the necessary expertise and have adequate analytical equipment and supplies, and up-to-date analytical methods; Article 5.1.1 recommends governments establish a programme to monitor pesticide residues.
		Enforcement of regulations/decisions	Article 6.1.8 recommends governments collect data on import/export of pesticides to determine trends; Article 6.1.10 recommends governments detect and control illegal trade in pesticides; Article 6.2.7 recommends the pesticide industry provide import/export data to national governments.
		Access to Justice	
<b>(F) Capacity for Rehabilitation of Contaminated Sites and Poisoned Persons</b>			Article 5.1.3 recommends governments carry out health surveillance programmes, investigate and document poisoning cases; Article 5.1.4 recommends governments provide guidance and instruction on the treatment of suspected pesticide poisoning; Article 5.1.5 recommends governments establish national or regional poisoning information and control centers.
<b>(G) Effective Education programmes</b>			
<b>(H) Capacity to Respond to Emergencies</b>			

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**The Globally Harmonized System of Classification and Labelling of Chemicals (GHS)**

<b>Chapter 19, Agenda 21: Elements for sound chemicals management</b>	<b>Issue</b>	<b>GHS: Relevant Provisions</b>
<b>(A) Adequate Legislation</b>	Generic Legislation	ECOSOC Resolution 2003/64 on the GHS invited all governments to take the necessary steps, through appropriate national procedures and/or legislation to implement the GHS.
	Import/Export Control Legislation	
	Enabling Legislation for Chemical Use Restrictions/Bans	
<b>(B) Information Gathering and Dissemination</b>	Development of chemical lists and/or inventory	
	Emissions reporting	
	National information systems/exchange	Chapter 1.4.7 refers to all systems specifying a means of responding to new information and updates labels and safety data sheets accordingly.
	International information exchange	ECOSOC Resolution 2003/64 invited governments and others to provide feedback to the UN SCEGHS on the GHS.
	Hazard data generation	Available data, test methods and test data quality are referred to in chapter 1.3.2.4. The GHS does not itself include requirements for testing, so there is no requirement under GHS to generate test data for any hazard class (chapter 1.3.2.4) though test methods for physical hazards are specified. The GHS is based on currently available data (chapter. 1.1.2.5).
	Data confidentiality	Chapter 1.4.8 refers to consideration being given to what provisions may be appropriate for the protection of confidential business information (CBI) and that such provisions should not compromise the health and safety of workers or consumers or protection of the environment.
	Access to information	Chapter 1.4.8.3 refers to provisions for all information to be disclosed (on the label or safety data sheet) and that CBI claims should be limited to chemical names and their concentrations in mixtures.
<b>(C) Capacity for Risk Assessment and Interpretation</b>	Hazard assessment / classification	Classification criteria for 26 hazard classes for substances and mixtures are referred to in chapters 2.1 – 3.10 (e.g. explosive, flammable, etc.).
	Hazard / risk communication (e.g. labeling)	Chapter 1.4 provides recommended labelling provisions (including hazard symbols and other information). Chapter 1.5.2 recommends that an SDS should be produced for all substances and mixtures which meet the harmonized criteria and provides the recommended SDS format.

The Globally Harmonized System of Classification and Labelling of Chemicals (GHS)

<b>Chapter 19, Agenda 21: Elements for sound chemicals management</b>	<b>Issue</b>	<b>GHS: Relevant Provisions</b>	
	Risk assessment	Chapter 1.4.10.5.5.2 and Annex 4 note that special consideration can be given by a competent authority to consumer product labeling based on the likelihood of injury.	
<b>(D) Establishment of Risk Management Policy</b>	Packaging requirements	Chapter 1.4.10.4 refers to packaging and placement of pictograms and Annex 6 provides examples of GHS label and package arrangements.	
	Capacity for risk management decision-making		
	Chemical-specific use restrictions/bans e.g. DDT, Lindane		
	Life-cycle management	Chapter 1.1.2.5 refers to application of GHS components varying by life-cycle (manufacturing storage, transport). Wastes not considered explicitly.	
	Precautionary principle/approach		
<b>(E) Capacity for Implementation and Enforcement</b>	General Implementation Issues	Focal points	
		Interministerial Coordination	
		Stakeholder Involvement	
		Resource Mobilisation	
		Technical assistance	ECOSOC Resolution 2003/64 encouraged all relevant parties to support capacity building activities.
		Training / skills building	Chapter 1.4.9 notes that national systems should identify the appropriate training for GHS target audiences (including workers, emergency responders and those involved in the preparation of labels, SDS and hazard communication strategies as part of risk management systems). The first session of the SCEGHS (July 2001) established UNITAR/ILO as the designated focal for capacity building within SCEGHS.
		Technology transfer	

**The Globally Harmonized System of Classification and Labelling of Chemicals (GHS)**

<b>Chapter 19, Agenda 21: Elements for sound chemicals management</b>		<b>Issue</b>	<b>GHS: Relevant Provisions</b>
		Development of alternatives	
		Evaluation of Implementation	ECOSOC Resolution 2003/64 requested the Secretary General to submit a report on the status of implementation of the GHS.
	Enforcement	Capacity for chemical analysis/monitoring	Chapter 1.1.2.5.b notes that the GHS is based on currently available data, therefore compliance with GHS classification criteria will not require retesting of chemicals for which accepted test data already exists.
		Enforcement of regulations/decisions	
		Access to Justice	
<b>(F) Capacity for Rehabilitation of Contaminated Sites and Poisoned Persons</b>			
<b>(G) Effective Education programmes</b>			Chapter 1.4.9 notes that national systems should identify the appropriate education for GHS target audiences.
<b>(H) Capacity to Respond to Emergencies</b>			Chapter 1.1.2.5 identifies emergency responders as a GHS target audience.

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**ILO Chemicals Convention No. 170**

<b>Chapter 19, Agenda 21: Elements for sound chemicals management</b>	<b>Issue</b>	<b>ILO 170: Relevant Provisions</b>
<b>(A) Adequate Legislation</b>	Generic Legislation	Article 4 requires that Parties formulate, implement and periodically review a coherent policy on safety in the use of chemicals at work. Article 14 requires that hazardous waste is disposed of as provided in national law and practice.
	Import/Export Control Legislation	
	Enabling Legislation for Chemical Use Restrictions/Bans	
<b>(B) Information Gathering and Dissemination</b>	Development of chemical lists and/or inventory	Article 10.4 requires employers to maintain a record of hazardous chemicals used in the workplace, cross-referenced to the appropriate safety data sheets, and to make this record accessible to all workers and their representatives.
	Emissions reporting	
	National information systems/exchange	The Preamble refers to the need to provide employers with a mechanism to obtain from suppliers information about the chemicals used at work so that they can implement effective programmes to protect workers from chemical hazards and to provide workers with information about the chemicals at their workplaces, and about appropriate preventive measures so that they can effectively participate in protective programmes.
	International information exchange	Article 19 requires exporting states to notify any importing country if some uses of hazardous chemicals are prohibited for reasons of safety and health at work.
	Hazard data generation	
	Data confidentiality	Article 1.2 (b) requires the competent authority of a Party to make special provision to protect confidential information whose disclosure to a competitor would be liable to cause harm to an employer's business so long as the safety and health of the workers are not compromised. Article 18.4 recommends that an employer protect the identity of a chemical mixture if its provision to a competitor is liable to cause harm to the employers' business so long as the safety and health of the workers are not compromised.
	Access to information	The Preamble notes that workers have a need for, and right to, information about the chemicals they use at work. Article 15 requires that employers inform workers of chemical hazards, as well as instruct the workers how to obtain and use information on labels and data sheets. Article 18 mandates that workers and their representatives have the right to information on the identity of chemicals, their hazardous properties, precautionary measures, education and training, the

**ILO Chemicals Convention No. 170**

<b>Chapter 19, Agenda 21: Elements for sound chemicals management</b>	<b>Issue</b>	<b>ILO 170: Relevant Provisions</b>
		information contained in the labels, chemical safety data sheets and any other information required under the Convention.
<b>(C) Capacity for Risk Assessment and Interpretation</b>	Hazard assessment / classification	Article 6 requires that the competent authority establish systems and specific criteria appropriate for the classification of all chemicals according to the type and degree of their intrinsic health and physical hazards and for assessing the relevance of the information required to determine whether a chemical is hazardous. Article 9 requires that suppliers of chemicals classify, identify and label chemicals and provide employers with safety data sheets. Article 13 requires employers to assess the risk arising from the use of chemicals at work.
	Hazard / risk communication (e.g. labeling)	Article 7 mandates that all chemicals are marked so as to indicate their identity. Article 8 requires that chemical safety data sheets are provided to employers. Article 9 requires that suppliers of chemicals classify, identify and label chemicals and provide employers with safety data sheets. Article 10.3 requires employers to ensure that only chemicals labeled and marked as described are used. Article 13 requires employers to assess the risk arising from the use of chemicals at work and take specific actions to protect workers health against such risks, including eliminating and minimizing risk through technical and hygiene measures, as well as provide first aid and emergency arrangements. Article 18 mandates the right to information on the identify of chemicals used at work, hazards posed, and training on precautionary measures, labeling information and chemical safety data sheets.
	Risk assessment	Article 12 requires employers assess the exposure of workers to hazardous chemicals. Article 13 requires employers to assess the risk arising from the use of chemicals at work and take specific actions to protect workers health against such risks.
<b>(D) Establishment of Risk Management Policy</b>	Packaging requirements	Article 11 requires employers to ensure contents of containers or equipment are labeled when transferring chemicals. Article 14 requires the safe handling of empty containers that may contain hazardous chemical residues.
	Capacity for risk management decision-making	Article 13 requires employers to assess the risk arising from the use of chemicals at work and take specific actions to protect workers health against such risks, including eliminating and minimizing risk through technical and hygiene measures, as well as provide first aid and emergency arrangements.
	Chemical-specific use restrictions/bans e.g. DDT, Lindane	Article 5 mandates that the competent authority has the power to prohibit or restrict the use of certain hazardous chemicals or to require advance notification.

**ILO Chemicals Convention No. 170**

<b>Chapter 19, Agenda 21: Elements for sound chemicals management</b>	<b>Issue</b>	<b>ILO 170: Relevant Provisions</b>	
	Life-cycle management	Article 2 (c) defines “use of chemicals at work” as any activity using chemicals from (i) production through to (v) disposal, including (vi) release and (vii) maintenance.	
	Precautionary principle/approach		
<b>(E) Capacity for Implementation and Enforcement</b>	General Implementation Issues	Focal points	No article mandates the identification of a focal point but the responsibilities of the competent authority of a Member are defined in Articles 1.2, 5, 6.1, 7.3.1, 8.2, 12,a,c,d.
		Interministerial Coordination	
		Stakeholder Involvement	Article 3 mandates that the most representative organizations of employers and workers concerned are consulted on measures taken to give effect to the provisions of the Convention.
		Resource Mobilisation	
		Technical assistance	
		Training / skills building	Article 15 requires that employers train workers how to obtain and use information on labels and data sheets, as well as in the practices and procedures to be followed for safety. Article 18.3(a) mandates workers’ right to education and training.
		Technology transfer	
		Development of alternatives	
		Evaluation of Implementation	
	Enforcement	Capacity for chemical analysis/monitoring	Article 5 mandates that the competent authority has the power to prohibit or restrict the use of certain hazardous chemicals or to require advance notification.
		Enforcement of regulations/decisions	
Access to Justice		Article 18 mandates that workers who remove themselves from danger in accordance with the provisions of the Convention or who exercise any other rights under the Convention will be protected against undue consequences.	

**ILO Chemicals Convention No. 170**

<b>Chapter 19, Agenda 21: Elements for sound chemicals management</b>	<b>Issue</b>	<b>ILO 170: Relevant Provisions</b>
<b>(F) Capacity for Rehabilitation of Contaminated Sites and Poisoned Persons</b>		
<b>(G) Effective Education programmes</b>		Article 18.3(a) mandates workers' right to education and training.
<b>(H) Capacity to Respond to Emergencies</b>		Article 13 requires employers to provide first aid and make arrangements to deal with emergencies.

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**ILO Prevention of Major Industrial Accidents Convention 1993, No. 174**

<b>Chapter 19, Agenda 21: Elements for sound chemicals management</b>	<b>Issue</b>	<b>ILO 174: Relevant Provisions</b>
<b>(A) Adequate Legislation</b>	Generic Legislation	Article 4 requires that, in light of national laws and regulations, conditions and practices, each Member formulate, implement and periodically review a coherent national policy.
	Import/Export Control Legislation	
	Enabling Legislation for Chemical Use Restrictions/Bans	
<b>(B) Information Gathering and Dissemination</b>	Development of chemical lists and/or inventory	Article 5(1) requires the competent authority to establish a system for identification of major hazards based on a list of hazardous substances or of categories of hazardous substances and their threshold quantities.
	Emissions reporting	
	National information systems/exchange	Article 8 requires employers to notify the competent authority of any major hazard installation. Article 9 requires employers to establish a system of major hazard control including the provision of information on hazards, potential accidents and site emergency plans. Article 10 requires employers to prepare safety reports. Article 13 mandates employers to inform the competent authority of a major accident. Article 15 requires the competent authority to ensure that emergency plans and procedures are established and updated. Article 16 mandates the competent authority to ensure the dissemination of information on safety measures in case of major accident.
	International information exchange	Article 16(c) requires the competent authority to ensure information is transmitted to the States concerned where a major accident could have transboundary effects. Article 22 requires exporting member States, if they have prohibited the use of hazardous substances, technologies or processes as a potential source of a major accident, to make available to any importing country information on this prohibition and the reasons.
	Hazard data generation	
	Data confidentiality	Article 6 requires the competent authority to make special provision to protect confidential information so long as this provision does not lead to serious risk to workers, the public or the environment.
	Access to information	Article 16(a) requires the competent authority to ensure that information on safety measures etc is disseminated to the public liable to be affected by a major accident without their having to request it and that such information is updated and disseminated at appropriate intervals. Article 20 mandates workers and representatives the right to be informed of the following: any hazards, orders by the competent authority, the safety report, emergency plans and procedures and accident

**ILO Prevention of Major Industrial Accidents Convention 1993, No. 174**

<b>Chapter 19, Agenda 21: Elements for sound chemicals management</b>	<b>Issue</b>	<b>ILO 174: Relevant Provisions</b>
		reports.
<b>(C) Capacity for Risk Assessment and Interpretation</b>	Hazard assessment / classification	Article 5 (1) requires the competent authority to establish a system for identification of major hazard installations. Article 7 requires employers to identify any major hazard installation within their control. Article 9(a) requires employers to establish a system of major hazard control including the identification and analysis of hazards.
	Hazard / risk communication (e.g. labeling)	Article 8 requires employers to notify the competent authority of any major hazard installation. Article 9 requires employers to establish a system of major hazard control including the provision of information on hazards, potential accidents and site emergency plans. Article 10 requires employers to prepare safety reports. Article 13 mandates employers to inform the competent authority of a major accident. Article 15 requires the competent authority to ensure that emergency plans and procedures are established and updated.
	Risk assessment	Article 9(a) requires employers to establish a system of major hazard control including assessment of risks.
<b>(D) Establishment of Risk Management Policy</b>	Packaging requirements	
	Capacity for risk management decision-making	Article 4(1) requires, in the light of national laws and regulations, that each Member shall formulate, implement and periodically review a coherent national policy concerning the protection of workers, the public and the environment against the risk of major accidents.
	Chemical-specific use restrictions/bans e.g. DDT, Lindane	
	Life-cycle management	
	Precautionary principle/approach	Article 4(2) requires that the national policy on major accidents be implemented through preventive and protective measures. The Preamble states the need to prevent major accidents.
	Focal points	Although their identification is not explicitly mandated, competent authorities are referred to throughout the Convention. Part IV defines the responsibilities of the competent authority.
	Interministerial Coordination	
	Stakeholder Involvement	Consultation with workers, their representatives and other concerned or interested parties is mandated in Article 2 for the progressive implementation of the Convention, in Article 4(1) for development of the national policy on major accidents,

**ILO Prevention of Major Industrial Accidents Convention 1993, No. 174**

<b>Chapter 19, Agenda 21: Elements for sound chemicals management</b>		<b>Issue</b>	<b>ILO 174: Relevant Provisions</b>
<b>(E) Capacity for Implementation and Enforcement</b>	General Implementation Issues		in Article 5.1 for establishing a system of hazard identification by the competent authority, in Article 9(f) for establishing a system of major hazard control by employers, in 18.2 in the inspecting of major hazard installations, and in Article 20(c) for the preparation of safety reports, emergency plans and procedures and accident reports.
		Resource Mobilisation	
		Technical assistance	
		Training and skills building	Article 9(c) requires Employers to establish a system of major hazard control including provision for training and instruction of personnel. Article 20(d) requires that workers and their representatives are regularly instructed and trained in accident prevention.
		Technology transfer	
		Development of alternatives	
		Evaluation of Implementation	Article 4(1) requires, in the light of national laws and regulations, that each Member shall periodically review its national policy.
	Enforcement	Capacity for chemical analysis/monitoring	
		Enforcement of regulations/decisions	Article 18 requires the competent authority ensures compliance with national laws and regulations.
		Access to Justice	

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<b>Chapter 19, Agenda 21: Elements for sound chemicals management</b>	<b>Issue</b>	<b>ILO 174: Relevant Provisions</b>
<b>(F) Capacity for Rehabilitation of Contaminated Sites and Poisoned Persons</b>		Article 14 requires employers to present a detailed accident report to the competent authority containing an analysis of the causes of the accident and describing its immediate on-site consequences, and any action taken to mitigate its effects.
<b>(G) Effective Education programmes</b>		
<b>(H) Capacity to Respond to Emergencies</b>		Article 9(d) requires employers to establish a system of major hazard control including provision of emergency plans and procedures. Article 15 requires the competent authority to ensure that emergency plans and procedures are established, updated and coordinated with relevant authorities and bodies. Article 16 requires the competent authority ensures warning is given as soon as possible in the case of a major accident.

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**Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade**

<b>Chapter 19, Agenda 21: Elements for sound chemicals management</b>	<b>Issue</b>	<b>Rotterdam Convention: Relevant Provisions</b>
<b>(A) Adequate Legislation</b>	Generic Legislation	Article 11(a) requires that Parties implement legislative or administrative measures to communicate the responses (regarding consent to import) forwarded by the Secretariat and Article 11(b) mandates legislation to ensure that exporters within a Party's jurisdiction comply with decision in each response within 6 months. Article 15 mandates Parties to establish and strengthen their national infrastructures for implementation of the Convention, through implementation of legislation or measures, as required, to establish national registers and databases, chemical safety initiatives and voluntary agreements.
	Import/Export Control Legislation	Article 10 obliges Parties to implement appropriate legislation and administrative measures with regard to import of chemicals listed in Annex III.
	Enabling Legislation for Chemical Use Restrictions/Bans	
<b>(B) Information Gathering and Dissemination</b>	Development of chemical lists and/or inventory	Article 15.1(a) recommends Parties consider establishing national registers of chemicals.
	Emissions reporting	
	National information systems/exchange	Article 14.1 requires Parties to facilitate the exchange of scientific, technical, economic and legal information concerning the chemicals within the scope of this Convention, including toxicological, ecotoxicological and safety information and the provision of publicly available information on domestic regulatory actions relevant to the objectives of this Convention.
	International information exchange	Article 5 requires that Parties that have adopted a final regulatory action notify the Secretariat. Articles 10 and 11 outline obligations for notification and response regarding the import and export of listed chemicals. Article 12 mandates the notification of export of banned and severely restricted chemicals to the importing Party, which must acknowledge receipt of the notification. Article 14.5 permits Parties to request information on transit movements through its territory of listed chemicals.
	Hazard data generation	
	Data confidentiality	Article 14.2 requires Parties to protect information agreed as confidential; Article 14.3 establishes the types of information not considered confidential, including hazard and risk data, as well as precautionary measures.

**Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade**

<b>Chapter 19, Agenda 21: Elements for sound chemicals management</b>	<b>Issue</b>	<b>Rotterdam Convention: Relevant Provisions</b>
	Access to information	Article 10.8 requires that Parties make available their responses on importation of listed chemicals to those concerned within their jurisdiction; Article 11 requires Parties to communicate the responses on import consents and denials forwarded by the Secretariat to those concerned within their jurisdiction. Article 15.2 requires Parties to ensure, to the extent practicable, the public has access to information on chemical handling and alternatives that are safer than chemicals listed in Annex III.
<b>(C) Capacity for Risk Assessment and Interpretation</b>	Hazard assessment / classification	Annex I.1(e) requires that notifications shall include hazard classification information where the chemical is subject to classification requirements.
	Hazard / risk communication (e.g. labeling)	Article 13 requires that chemicals, listed in Annex III, when exported are subject to labelling requirements that ensure adequate availability of information with regard to risks and/or hazards to human health or the environment, taking into account relevant international standards; also Parties shall require that chemicals to be used for occupational purposes have a safety data sheet that follows an internationally recognized format, setting out the most up-to-date information available. The information on the label and on the safety data sheet should, as far as practicable, be given in one or more of the official languages of the importing Party.
	Risk assessment	Annex II(b)(iii) requires the Chemical Review Committee to establish that the final regulatory action has been taken as a consequence of risk evaluation. Annex IV Part 2(e) requires the Secretariat to collect relevant information on risk or hazard evaluations, where available, as a criteria for listing pesticides as severely hazardous in Annex III.
<b>(D) Establishment of Risk Management Policy</b>	Packaging requirements	The Preamble refers to hazardous chemicals exported being packaged and labelled in a manner that is adequately protective of human health and the environment.
	Capacity for risk management decision-making	
	Chemical-specific use restrictions/bans e.g. <i>DDT, Lindane</i>	Annex III lists (banned and severely restricted) chemicals required to be subject to the prior informed consent procedure. Article 5 mandates the notification procedure for notification of final regulatory action on such chemicals; Article 6 mandates the procedures for severely hazardous pesticide formulations.
	Life-cycle management	Article 11.1(c)(ii) mandates exporting Parties, upon request and as appropriate, to assist importing Parties to strengthen capacities to manage chemicals safely throughout their life-cycle; Article 16 recommends that Parties with more advanced programmes provide technical assistance to other Parties to manage chemicals throughout their life-cycle.
	Precautionary principle/approach	

**Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade**

<b>Chapter 19, Agenda 21: Elements for sound chemicals management</b>		<b>Issue</b>	<b>Rotterdam Convention: Relevant Provisions</b>
<b>(E) Capacity for Implementation and Enforcement</b>	General Implementation Issues	Focal points	Article 4 requires the establishment of a Designated National Authority to perform administrative functions
		Interministerial Coordination	
		Stakeholder Involvement	
		Resource Mobilisation	The Preamble refers to the need for financial and technical assistance for developing countries. Article 4.2 recommends that Parties ensure national authorities have sufficient resources to be able to perform their tasks effectively.
		Technical assistance	Article 16 requires that Parties cooperate in promoting technical assistance for the development of infrastructure and the capacity to manage chemicals to implement the Convention.
		Training / skills building	Article 16 recommends that Parties with more advanced programmes provide technical assistance, including training for the developing their infrastructure and capacity to manage chemicals throughout their life-cycle.
		Technology transfer	The Preamble refers to the need for technology transfer particularly for developing countries.
		Development of alternatives	Article 15.2 requires Parties to ensure, to the extent practicable, that the public has information on alternatives that are safer for human health or the environment than the chemicals listed in Annex III; Annex I.2(d)(ii) recommends that alternative chemicals and their relevant risks are included in the information for final regulatory actions.
		Evaluation of Implementation	Article 18.5 requires that the Conference of the Parties keep under continuous review the implementation of the Convention.
	Enforcement	Capacity for chemical analysis/monitoring	
		Enforcement of regulations/decisions	
Access to Justice			
<b>(F) Capacity for Rehabilitation of Contaminated Sites and Poisoned Persons</b>			
<b>(G) Effective Education programmes</b>			

**Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade**

<b>Chapter 19, Agenda 21: Elements for sound chemicals management</b>	<b>Issue</b>	<b>Rotterdam Convention: Relevant Provisions</b>
<b>(H) Capacity to Respond to Emergencies</b>		

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**Stockholm Convention on Persistent Organic Pollutants (POPs)**

<b>Chapter 19, Agenda 21: Elements for sound chemicals management</b>	<b>Issue</b>	<b>Stockholm Convention: Relevant Provisions</b>
<b>(A) Adequate Legislation</b>	Generic Legislation	
	Import/Export Control Legislation	Article 3.1(a)(ii) requires each Party to prohibit and/or take the legal measures to eliminate its import and export of listed chemicals.
	Enabling Legislation for Chemical Use Restrictions/Bans	Article 3.1(a)(i) requires each Party to prohibit and/or take the legal and administrative measures to eliminate production and use of listed chemicals.
<b>(B) Information Gathering and Dissemination</b>	Development of chemical lists and/or inventory	Article 5 (a)(i) mandates the development and maintenance of source inventories and release estimates taking into account source inventories in Annex C for unintentional production of POPs. Article 6.1 mandates Parties to identify stockpiles of listed chemicals as well as products and articles in use and wastes consisting of listed chemicals.
	Emissions reporting	Article 5 requires Parties to identify POPs releases in their action plan.
	National information systems/exchange	Article 10.1 requires Parties to promote and facilitate awareness among its policy and decision makers with regard to persistent organic pollutants and provision to the public of all available information on persistent organic pollutants. Article 11.2.b requires Parties, within their capabilities, to support <i>national</i> and international efforts to promote access to, and exchange of, data and analyses.
	International information exchange	Article 9 mandates Parties to facilitate or undertake the exchange of information on the reduction or elimination of the production, use and release of POPs, as well as alternatives to POPs, risks, their economic and social costs. Article 11.2.b requires Parties, within their capabilities, to support national and <i>international</i> efforts to promote access to, and exchange of, data and analyses.
	Hazard data generation	
	Data confidentiality	Article 9.5 requires that information on the health and safety of humans and the environment is not regarded as confidential, and that Parties that exchange other information shall protect confidential information as mutually agreed.
	Access to information	Article 10.1(b) requires Parties, within their capabilities, to provide information to the public on POPs. Article 10(2) requires each Party to ensure that the public has access to information on POPs and that the information is kept up-to-date.
<b>(C) Capacity for Risk Assessment and Interpretation</b>	Hazard assessment / classification	Annex E(b) refers to the preparation of a hazard assessment as one type of information necessary to evaluate the risk of a chemical proposed for inclusion in the Convention.

**Stockholm Convention on Persistent Organic Pollutants (POPs)**

<b>Chapter 19, Agenda 21: Elements for sound chemicals management</b>	<b>Issue</b>	<b>Stockholm Convention: Relevant Provisions</b>	
	Hazard / risk communication (e.g. labeling)	Annex A.II requires Parties to make determined efforts to label equipment containing certain amounts of PCBs. Annex E explains that national and international labelling information and hazard classifications, as available, should be included in developing a risk profile on chemicals.	
	Risk assessment	Article 8 requires, if submitted by a Party and requested by the Committee, a risk profile for the listing of a chemical in the Convention.	
<b>(D) Establishment of Risk Management Policy</b>	Packaging requirements		
	Capacity for risk management decision-making		
	Chemical-specific use restrictions/bans <i>e.g. DDT, Lindane</i>	Article 3 requires Parties to prohibit chemicals listed in Annex A and to restrict the production and use of chemicals listed in Annex B.	
	Life-cycle management	The Preamble refers to the need to take measures to prevent adverse effects caused by POPs at all stages of their life cycle.	
	Precautionary principle/approach	Article 1 refers to being mindful of the precautionary approach as set forth in Principle 15 of the Rio Declaration.	
<b>(E) Capacity for Implementation and Enforcement</b>	General Implementation Issues	Focal points	Article 9.3 requires each Party to designate a national focal point for exchange of information.
		Interministerial Coordination	
		Stakeholder Involvement	Article 7.2 requires, where appropriate, for Parties to consult their national stakeholders, including women's groups and groups involved in the health of children in the implementation and updating of their Convention implementation plans. Article 10.1(d) requires Parties to promote and facilitate, within their capabilities, public participation in addressing POPs and in the implementation of the Convention.
		Resource Mobilisation	Article 13.1 requires Parties to provide financial support and incentives for national activities intended for achieving the Convention; Article 13.2 requires developed countries to provide new and additional financial resources to enable developing countries and economies in transition to meet the costs of implementing their Convention obligations. Article 13.6 establishes a mechanism to provide additional financial resources for Convention implementation to developing countries and economies in transition; Article 14 defines the Global Environment Facility as the interim financial mechanism.

**Stockholm Convention on Persistent Organic Pollutants (POPs)**

<b>Chapter 19, Agenda 21: Elements for sound chemicals management</b>	<b>Issue</b>	<b>Stockholm Convention: Relevant Provisions</b>	
	Technical assistance	Articles 11.2 (b) and 12 require Parties cooperate and support efforts to strengthen scientific and technical research capabilities and capacity to implement the convention respectively, particularly in developing countries and countries with economies in transition.	
	Training and skills building	Article 10.1(c) requires Parties to promote and facilitate educational and public awareness programmes for women, children and the least educated; Article 10.1(e) requires Parties to promote and facilitate training of workers, scientists, educators and technical and managerial personnel; Article 10.1(g) requires Parties to promote and facilitate education and training at the national and international levels.	
	Technology transfer	Article 12.4 requires Parties to establish arrangements such as regional and subregional centers for capacity building and transfer of technology for developing countries and countries with economies in transition.	
	Development of alternatives	Articles 10.1(c) and Annex B Part II.5(b) require Parties to promote research and facilitate development and production of alternatives for POPs including DDT; Article 5(c) requires promoting the development and mandating the substitute use of products and processes to prevent formation of listed chemicals; Article 11.1 requires Parties to encourage or undertake the research and development of alternatives; Article 9.1(b) requires Parties to facilitate or undertake the exchange of information on alternatives.	
	Evaluation of Implementation	Article 15.1 requires Parties to report on the measures taken to implement the Convention and the measures' effectiveness. Article 16 requires periodic evaluation of the effectiveness of the Convention.	
	Enforcement	Capacity for chemical analysis/monitoring	Article 11.1, 11.2(a)-(b) require Parties to encourage or undertake national monitoring of POPs and chemical analyses, particularly in developing countries and countries with economies in transition. Annex D requires submission of screening criteria (including evidence of persistence, bioaccumulation and potential for long-range transport) for a Party submitting a proposal for listing of a chemical (pursuant to Article 8).
		Enforcement of regulations/decisions	Article 15.2(a) and (b) require the gathering and reporting of statistical data on import/export of listed chemicals and lists of States involved in the export/import.
		Access to Justice	
<b>(F) Capacity for Rehabilitation of Contaminated Sites and Poisoned Persons</b>		Article 6.1(e) requires Parties to endeavour to develop strategies for identifying sites contaminated by listed chemicals and to ensure that if remediation is undertaken it is performed in an environmentally sound manner.	
<b>(G) Effective Education programmes</b>		Article 10.1(c) requires the implementation of educational and awareness raising programmes especially for women and children and the least educated; Article 10.1(f) mandates the development and exchange of educational and public awareness materials at national and international levels.	

**Stockholm Convention on Persistent Organic Pollutants (POPs)**

<b>Chapter 19, Agenda 21: Elements for sound chemicals management</b>	<b>Issue</b>	<b>Stockholm Convention: Relevant Provisions</b>
<b>(H) Capacity to Respond to Emergencies</b>		

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**Vienna Convention and Montreal Protocol (MP) as adjusted and/or modified in London, Copenhagen,  
Vienna, Montreal and Beijing**

<b>Chapter 19, Agenda 21: Elements for sound chemicals management</b>	<b>Issue</b>	<b>Vienna Convention and Montreal Protocol: Relevant Provisions</b>
<b>(A) Adequate Legislation</b>	Generic Legislation	Article 2.2(b) requires Parties, in accordance with the means at their disposal and capabilities, to adopt legislation or administrative measures to control, limit, reduce or prevent human activities likely to modify the ozone layer; Article 6.4(c) refers to the promotion of policies, strategies and measures for minimizing releases of substances likely to modify the ozone layer; Article 2.3 permits Parties to enact additional domestic measures as appropriate.
	Import/Export Control Legislation	
	Enabling Legislation for Chemical Use Restrictions/Bans	
<b>(B) Information Gathering and Dissemination</b>	Development of chemical lists and/or inventory	
	Emissions reporting	Annex II.3(b) requires the exchange of information on emissions necessary for research.
	National information systems/exchange	
	International information exchange	Article 2.2(a) requires Parties, in accordance with their means and capabilities, to exchange information in order to better understand the effects of modification of the ozone layer on human health and the environment; Article 6.4(d) requires the development of programmes for the exchange of information. Annex II.1 and 2 mandate (considering costs and usefulness) the sharing and exchange of information of scientific, technical, socio-economic, commercial and legal information, while Annex II.6 requires the exchange of information on national laws, bilateral treaties, methods and terms of licensing and availability of patents relevant to the protection of the ozone layer. Article MP 7 mandates reporting by Parties of such statistical data; Article MP 9.1 mandates the exchange of information on technologies, alternative substances and costs; Article MP 9.3 requires Parties to submit a summary of their activities on information exchange and public awareness.
	Hazard data generation	
Data confidentiality	Article 4.1 mandates that information disclosed to Convention bodies is kept confidential and aggregated for further protection before being made available to Parties; Annex II.2 refers to the protection of confidential and propriety information so as to be consistent with national laws, patent regulations, etc.	

**Vienna Convention and Montreal Protocol (MP) as adjusted and/or modified in London, Copenhagen, Vienna, Montreal and Beijing**

<b>Chapter 19, Agenda 21: Elements for sound chemicals management</b>	<b>Issue</b>	<b>Vienna Convention and Montreal Protocol: Relevant Provisions</b>
	Access to information	
<b>(C) Capacity for Risk Assessment and Interpretation</b>	Hazard assessment / classification	
	Hazard / risk communication (e.g. labeling)	Annex II.4(b) requires the exchange of information on risks involved in using chemicals.
	Risk assessment	
<b>(D) Establishment of Risk Management Policy</b>	Packaging requirements	
	Capacity for risk management decision-making	
	Chemical-specific use restrictions/bans <i>e.g. DDT, Lindane</i>	Article MP 2 requires the phase-out of controlled substances detailed in the five Amendments.
	Life-cycle management	
	Precautionary principle/approach	Preambles to the Convention and MP refer to protection of the ozone layer by taking “precautionary measures” at the national level.
<b>(E) Capacity for Implementation and Enforcement</b>	Focal points	
	Interministerial Coordination	
	Stakeholder Involvement	
	Resource Mobilisation	Article MP 10 requires the establishment of a Multilateral Fund to provide financial assistance to Parties for a range of activities.
	Technical assistance	Annex I.3 requires cooperation in promoting scientific and technical training for Parties, particularly developing countries, to participate in research and systematic observations.

**Vienna Convention and Montreal Protocol (MP) as adjusted and/or modified in London, Copenhagen, Vienna, Montreal and Beijing**

<b>Chapter 19, Agenda 21: Elements for sound chemicals management</b>		<b>Issue</b>	<b>Vienna Convention and Montreal Protocol: Relevant Provisions</b>
	General Implementation Issues	Training and skills building	MP Article 10.3(b)(iii) requires the creation of a Multilateral Fund that holds, <i>inter alia</i> , training sessions for developing country Parties on technologies, alternatives to controlled substances, costs and benefits of control strategies.
		Technology transfer	Articles 4.2 and 6.4(d) require Parties to cooperate, consistent with their legislations, in the development and transfer of technology taking into account needs of developing countries for facilitation of acquisition of alternative technologies, information on such technologies, equipment and facilities for systematic observations and training of scientific and technical personnel; Articles MP 10 and 10A mandate that the Multilateral Fund serve technology transfer needs of Parties and detail the Fund's processes.
		Development of alternatives	Article 3 refers to Parties being able to undertake research on alternative substances; Annex II.4 details the chemical substitutes and technical information that shall be shared; Article MP 9.1(b) mandates cooperation, consistent with national laws, to promote the development of possible alternatives to specific controlled substances.
		Evaluation of Implementation	Article MP 6 requires Parties to assess and review control measures at least every four years.
	Enforcement	Capacity for chemical analysis/monitoring	
		Enforcement of regulations/decisions	Article MP 4B requires Parties to establish a system for licensing the import and export of controlled substances. MP Article 5.5 explains that developing the capacity of developing-country Parties to comply with control measures will depend on the implementation of the Multilateral Fund.
		Access to Justice	
<b>(F) Capacity for Rehabilitation of Contaminated Sites and Poisoned Persons</b>			
<b>(G) Effective Education Programmes</b>			Article MP 9.2 requires cooperation on promoting public awareness of environmental effects of controlled substances and other substances that deplete the ozone layer.
<b>(H) Capacity to Respond to Emergencies</b>			

**Vienna Convention and Montreal Protocol (MP) as adjusted and/or modified in London, Copenhagen,  
Vienna, Montreal and Beijing**

**UN Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances**

<b>Chapter 19, Agenda 21: Elements for sound chemicals management</b>	<b>Issue</b>	<b>UN Drugs Convention: Relevant Provisions</b>
<b>(A) Adequate Legislation</b>	Generic Legislation	Article 3 requires Parties to adopt measures to establish as criminal offenses and require sanctions under their domestic law, activities related to the production and consumption of scheduled substances; it also requires the establishment of measures for controlling property, equipment etc derived from controlled substances activities and for the prosecution of offenders. Article 4 requires Parties to take measures to establish jurisdiction over certain offenses. Article requires Parties to adopt measures to enable confiscation of scheduled drugs and related property and proceeds. Article 6.3 recommends enacting legislation as necessary for using the Convention as a legal basis for extradition.
	Import/Export Control Legislation	
	Enabling Legislation for Chemical Use Restrictions/Bans	Article 3 requires each Party to establish as criminal offences under domestic law the production, manufacture, distribution etc of substances in Table I and II.
<b>(B) Information Gathering and Dissemination</b>	Development of chemical lists and/or inventory	
	Emissions reporting	
	National information systems/exchange	Article 12.9(a) requires each Party to establish and maintain a system to monitor international trade in scheduled substances.
	International information exchange	Article 9.1(a) requires Parties to establish rapid exchange of information among Parties' competent agencies and services on all aspects of offences in accordance with Article 3.1. Article 12.12 requires each Party to furnish annually amounts seized of scheduled substances, any substance not scheduled used in illicit manufacture of drugs, methods of diversion and illicit manufacture.
	Hazard data generation	
	Data confidentiality	Article 12.11 recommends that Parties keep confidential any trade, business, commercial or professional secrets or trade processes requested by Party furnishing the information.
	Access to information	

**UN Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances**

<b>Chapter 19, Agenda 21: Elements for sound chemicals management</b>	<b>Issue</b>	<b>UN Drugs Convention: Relevant Provisions</b>	
<b>(C) Capacity for Risk Assessment and Interpretation</b>	Hazard assessment / classification		
	Hazard / risk communication (e.g. labeling)	Article 12.9(d) and Article 16 require that all imports/exports of annexed substances are properly labeled including names of the narcotic drugs and psychotropic substances.	
	Risk assessment		
<b>(D) Establishment of Risk Management Policy</b>	Packaging requirements		
	Capacity for risk management decision-making		
	Chemical-specific use restrictions/bans <i>e.g. DDT, Lindane</i>		
	Life-cycle management		
	Precautionary principle/approach		
<b>(E) Capacity for Implementation and Enforcement</b>	General Implementation Issues	Focal points	Competent authorities are referred to throughout the Convention but the identification of one focal point is not mentioned. Article 17.7 requires the designation of an authority for determining whether a vessel flying its flag is entitled to do so.
		Interministerial Coordination	
		Stakeholder Involvement	
		Resource Mobilisation	
		Technical assistance	Article 10.1 requires Parties to cooperate on technical assistance especially with developing countries for interdiction and other related activities.
		Training and skills building	Articles 9.2 and 9.3 mandate the provision of specific training programmes for law enforcement and other personnel, including customs, for the detection and suppression of offences under Article 3.

**UN Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances**

<b>Chapter 19, Agenda 21: Elements for sound chemicals management</b>	<b>Issue</b>	<b>UN Drugs Convention: Relevant Provisions</b>	
		Technology transfer	
		Development of alternatives	
		Evaluation of Implementation	Article 20.1 requires Parties to submit to the Commission information on the working of the Convention in their territories, including laws and regulations to give effect to the Convention and particular cases revealing new trends or significant quantities.
	Enforcement	Capacity for chemical analysis/monitoring	Article 9.1(d) requires Parties to provide quantities of substances for analytical or investigation purposes
		Enforcement of regulations/decisions	Article 12.9(d) & (e) require the names and addresses of importers/exporters to be collected and made available for inspection.
		Access to Justice	
<b>(F) Capacity for Rehabilitation of Contaminated Sites and Poisoned Persons</b>			
<b>(G) Effective Education Programmes</b>		Article 3.4 refers to providing education to offenders in addition to conviction or punishment.	
<b>(H) Capacity to Respond to Emergencies</b>			