

National Capacity Requirements Under International Agreements Addressing Chemicals and Waste Management



Draft Fact Sheets and Summary Table

1. Introduction

- Need to analyse agreements for common national capacity requirements in order to identify possible synergies
- But what “horizontal” criteria to use?
- Documents TWS 8-3 and TWS 8-4



2. Criteria I

- Starting point (1): Programme Area E of Chapter 19: “Strengthening of national capabilities and capacities for management of chemicals”
- 19.56. Basic elements for sound management of chemicals



3. Criteria I

- (a) adequate legislation
- (b) information gathering and dissemination
- (c) capacity for risk assessment and interpretation
- (d) establishment of risk management policy
- (e) capacity for implementation and enforcement
- (f) capacity for rehabilitation of contaminated sites and poisoned persons
- (g) effective education programmes
- (h) capacity to respond to emergencies



4. Criteria I

Chapter 19, Agenda 21: Elements for sound chemicals management	Issue	Aarhus	Basel	CWC	...
(A) Adequate Legislation					
(B) Information Gathering and Dissemination					
(C) Capacity for Risk Assessment and Interpretation					

5. Criteria II

- Starting point (2): analysis of capacity requirements in conventions themselves
- “unpacking” capacity requirements



6. Criteria II

(A) Adequate Legislation

Generic Legislation

Import/Export Control
Legislation

Enabling Legislation for
Chemical Use
Restrictions/Bans



7. Criteria II

Chapter 19, Agenda 21: Elements for sound chemicals management	Issue	Aarhus	Basel	CWC	...
(A) Adequate Legislation	Generic Legislation				
	Import/Export Control Leg.				
	Enabling Legislation				
(B) Information Gathering and Dissemination					
(C) Capacity for Risk Assessment and Interpretation					

8. Criteria II

(B) Information Gathering and Dissemination

- Development of Chemical Lists and/or Inventory
- Emissions Reporting
- National Information Systems / Exchange
- International Information Exchange
- Hazard Data Generation
- Data Confidentiality
- Access to Information



9. Criteria II

(C) Capacity for Risk Assessment and Interpretation

- Hazard Assessment / Classification
- Hazard / Risk Communication (e.g. labelling)
- Risk Assessment



10. Criteria II

(D) Establishment of Risk Management Policy

- Packaging Requirements
- Capacity for Risk Management Decision Making
- Chemical specific Use Restrictions / Bans
- Life-cycle Management
- Precautionary Principle / Approach



11. Criteria II

(E) Capacity for Implementation and Enforcement

- General Implementation Issues
- Enforcement Issues



12. Criteria II

General Implementation Issues

- Focal Points
- Interministerial Coordination
- Stakeholder Involvement
- Resource Mobilisation
- Technical Assistance



13. Criteria II

General Implementation Issues

- Training / Skills Building
- Technology Transfer
- Development of Alternatives
- Evaluation of Implementation



14. Criteria II

Enforcement Issues

- Capacity for Chemical Analysis / Monitoring
- Enforcement of Regulations / Decisions
- Access to Justice



15. Criteria II

(F) Capacity for Rehabilitation of Contaminated Sites and Poisoned Persons

(G) Effective Education Programmes

(H) Capacity to Respond to Emergencies



16. Results – Fact Sheets (RC)

(A) Adequate Legislation	Generic Legislation	<p>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.</p>
	Import/Export Control Legislation	<p>Article 10 obliges Parties to implement appropriate legislation and administrative measures with regard to import of chemicals listed in Annex III.</p>
	Enabling Legislation for Chemical Use Restrictions/ Bans	

17. Results – Summary Table

- Based on Fact Sheets, the agreements are coded:

+++ if the requirement is a specific obligation

++ if it is a specific recommendation

+ if only a general reference appears

18. Results – Summary Table

Chapter 19, Agenda 21: Elements for sound chemicals management	Issue	Aarhus	Basel	CWC	...
(A) Adequate Legislation	Generic Legislation	+++	+++	+++	
	Import / Export Legislation		+++	+++	
	Enabling Leg.		+++		
(B) Information Gathering and Dissemination	Chemical Lists		+		
	Emissions	+++			
(C) Capacity for Risk Assessment and Interpretation	Hazard Assess.		+	+	
	Risk Assess.				

19. Conclusions I

- The exercise has been a challenging one and we hope that this will provide a useful starting point for discussion and analysis of synergies among the agreements
- Some agreements more explicitly reference what is needed for effective national implementation
- Should issues not explicitly found in the agreement texts be included? (e.g. 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)



20. Conclusions II

- Some agreement text (e.g. articles) can be placed in more than one category
- Are the selected issues/categories appropriate? Which ones are missing? Which should be modified?
- We look forward to continuing to develop and refine these documents during and in follow-up to the workshop in order to make them as accurate as possible

