

Chapter 19 - ENVIRONMENTALLY SOUND MANAGEMENT OF TOXIC CHEMICALS, INCLUDING PREVENTION OF ILLEGAL INTERNATIONAL TRAFFIC IN TOXIC AND DANGEROUS PRODUCTS

INTRODUCTION

19.1. A substantial use of chemicals is essential to meet the social and economic goals of the world community and today's best practice demonstrates that they can be used widely in a cost-effective manner and with a high degree of safety. However, a great deal remains to be done to ensure the environmentally sound management of toxic chemicals, within the principles of sustainable development and improved quality of life for humankind. Two of the major problems, particularly in developing countries, are (a) lack of sufficient scientific information for the assessment of risks entailed by the use of a great number of chemicals, and (b) lack of resources for assessment of chemicals for which data are at hand.

19.2. Gross chemical contamination, with grave damage to human health, genetic structures and reproductive outcomes, and the environment, has in recent times been continuing within some of the world's most important industrial areas. Restoration will require major investment and development of new techniques. The long-range effects of pollution, extending even to the fundamental chemical and physical processes of the Earth's atmosphere and climate, are becoming understood only recently and the importance of those effects is becoming recognized only recently as well.

19.3. A considerable number of international bodies are involved in work on chemical safety. In many countries work programmes for the promotion of chemical safety are in place. Such work has international implications, as chemical risks do not respect national boundaries. However, a significant strengthening of both national and international efforts is needed to achieve an environmentally sound management of chemicals.

19.4. Six programme areas are proposed:

- (a) Expanding and accelerating international assessment of chemical risks;
- (b) Harmonization of classification and labelling of chemicals;
- (c) Information exchange on toxic chemicals and chemical risks;
- (d) Establishment of risk reduction programmes;
- (e) Strengthening of national capabilities and capacities for management of chemicals;
- (f) Prevention of illegal international traffic in toxic and dangerous products.

In addition, the short final subsection G deals with the enhancement of cooperation related to several programme areas.

19.5. The six programme areas are together dependent for their successful implementation on intensive international work and improved coordination of current international activities, as well as on the identification and application of technical, scientific, educational and financial means, in particular for developing countries. To varying degrees, the programme areas involve hazard assessment (based on the intrinsic properties of chemicals), risk assessment (including assessment of exposure), risk acceptability and risk management.

19.6. Collaboration on chemical safety between the United Nations Environment Programme (UNEP), the International Labour Organisation (ILO) and the World Health Organization (WHO) in the International Programme on Chemical Safety (IPCS) should be the nucleus for international cooperation on environmentally sound management of toxic chemicals. All efforts should be made to strengthen this programme. Cooperation with other programmes, such as those of the Organisation for Economic Cooperation and Development (OECD) and the European Communities (EC) and other regional and governmental chemical programmes, should be promoted.

19.7. Increased coordination of United Nations bodies and other international organizations involved in chemicals assessment and management should be further promoted. Within the framework of IPCS, an intergovernmental meeting, convened by the Executive Director of UNEP, was held in London in December 1991 to further explore this matter (see paras. 19.75 and 19.76).

19.8. The broadest possible awareness of chemical risks is a prerequisite for achieving chemical safety. The principle of the right of the community and of workers to know those risks should be recognized. However, the right to know the identity of hazardous ingredients should be balanced with industry's right to protect confidential business information. (Industry, as referred to in this chapter, shall be taken to include large industrial enterprises and transnational corporations as well as domestic industries.) The industry initiative on responsible care and product stewardship should be developed and promoted. Industry should apply adequate standards of operation in all countries in order not to damage human health and the environment.

19.9. There is international concern that part of the international movement of toxic and dangerous products is being carried out in contravention of existing national legislation and international instruments, to the detriment of the environment and public health of all countries, particularly developing countries.

19.10. In resolution 44/226 of 22 December 1989, the General Assembly requested each regional commission, within existing resources, to contribute to the prevention of the illegal traffic in toxic and dangerous products and wastes by monitoring and making regional assessments of that illegal traffic and its environmental and health implications. The Assembly also requested the regional commissions to interact among themselves and to cooperate with the United Nations Environment Programme, with a view to maintaining efficient and coordinated monitoring and assessment of the illegal traffic in toxic and dangerous products and wastes.

PROGRAMME AREAS

A. Expanding and accelerating international assessment of chemical risks

Basis for action

19.11. Assessing the risks to human health and the environment hazards that a chemical may cause is a prerequisite to planning for its safe and beneficial use. Among the approximately 100,000 chemical substances in commerce and the thousands of substances of natural origin with which human beings come into contact, many appear as pollutants and contaminants in food, commercial products and the various environmental media. Fortunately, exposure to most chemicals (some 1,500 cover over 95 per cent of total world production) is rather limited, as most are used in very small amounts. However, a serious problem is that even for a great number of chemicals characterized by high-volume production, crucial data for risk assessment are often lacking. Within the framework of the OECD chemicals programme such data are now being generated for a number of chemicals.

19.12. Risk assessment is resource-intensive. It could be made cost-effective by strengthening international cooperation and better coordination, thereby making the best use of available resources and avoiding unnecessary duplication of effort. However, each nation should have a critical mass of technical staff with experience in toxicity testing and exposure analysis, which are two important components of risk assessment.

Objectives

19.13. The objectives of this programme area are:

(a) To strengthen international risk assessment. Several hundred priority chemicals or groups of chemicals, including major pollutants and contaminants of global significance, should be assessed by the year 2000, using current selection and assessment criteria;

(b) To produce guidelines for acceptable exposure for a greater number of toxic chemicals, based on peer review and scientific consensus distinguishing between health- or environment-based exposure limits and those relating to socio-economic factors.

Activities

A) Management-related activities

19.14. Governments, through the cooperation of relevant international organizations and industry, where appropriate, should:

(a) Strengthen and expand programmes on chemical risk assessment within the United Nations system IPCS (UNEP, ILO, WHO) and the Food and Agriculture Organization of the United Nations (FAO), together with other organizations, including the Organisation for Economic Cooperation and Development (OECD), based on an agreed approach to data-quality assurance, application of assessment criteria, peer review and linkages to risk management activities, taking into account the precautionary approach;

(b) Promote mechanisms to increase collaboration among Governments, industry, academia and relevant non-governmental organizations involved in the various aspects of risk assessment of chemicals and related processes, in particular the promoting and coordinating of research activities to improve understanding of the mechanisms of action of toxic chemicals;

(c) Encourage the development of procedures for the exchange by countries of their assessment reports on chemicals with other countries for use in national chemical assessment programmes.

B) Data and information

19.15. Governments, through the cooperation of relevant international organizations and industry, where appropriate, should:

(a) Give high priority to hazard assessment of chemicals, that is, of their intrinsic properties as the appropriate basis for risk assessment;

(b) Generate data necessary for assessment, building, inter alia, on programmes of IPCS (UNEP, WHO, ILO), FAO, OECD and EC and on established programmes other regions and Governments. Industry should participate actively.

19.16. Industry should provide data for substances produced that are needed specifically for the assessment of potential risks to human health and the environment. Such data should be made available to relevant national competent authorities and international bodies and other interested parties involved in hazard and risk assessment, and to the greatest possible extent to the public also, taking into account legitimate claims of confidentiality.

C) International and regional cooperation and coordination

19.17. Governments, through the cooperation of relevant international organizations and industry, where appropriate, should:

(a) Develop criteria for priority-setting for chemicals of global concern with respect to assessment;

(b) Review strategies for exposure assessment and environmental monitoring to allow for the best use of available resources, to ensure compatibility of data and to encourage coherent national and international strategies for that assessment.

Means of implementation

A) Financial and cost evaluation

19.18. Most of the data and methods for chemical risk assessment are generated in the developed countries and an expansion and acceleration of the assessment work will call for a considerable increase in research and safety testing by industry and research institutions. The cost projections address the needs to strengthen the capacities of relevant United Nations bodies and are based on current experience in IPCS. It should be noted that there are considerable costs, often not possible to

quantify, that are not included. These comprise costs to industry and Governments of generating the safety data underlying the assessments and costs to Governments of providing background documents and draft assessment statements to IPCS, the International Register of Potentially Toxic Chemicals (IRPTC) and OECD. They also include the cost of accelerated work in non-United Nations bodies such as OECD and EC.

19.19. The Conference secretariat has estimated the average total annual cost (1993-2000) of implementing the activities of this programme to be about \$30 million from the international community on grant or concessional terms. These are indicative and order-of-magnitude estimates only and have not been reviewed by Governments. Actual costs and financial terms, including any that are non-concessional, will depend upon, inter alia, the specific strategies and programmes Governments decide upon for implementation.

B) Scientific and technological means

19.20. Major research efforts should be launched in order to improve methods for assessment of chemicals as work towards a common framework for risk assessment and to improve procedures for using toxicological and epidemiological data to predict the effects of chemicals on human health and the environment, so as to enable decision makers to adopt adequate policies and measures to reduce risks posed by chemicals.

19.21. Activities include:

(a) Strengthening research on safe/safer alternatives to toxic chemicals that pose an unreasonable and otherwise unmanageable risk to the environment or human health and to those that are toxic, persistent and bio-accumulative and that cannot be adequately controlled;

(b) Promotion of research on, and validation of, methods constituting a replacement for those using test animals (thus reducing the use of animals for testing purposes);

(c) Promotion of relevant epidemiological studies with a view to establishing a cause-and-effect relationship between exposure to chemicals and the occurrence of certain diseases;

(d) Promotion of ecotoxicological studies with the aim of assessing the risks of chemicals to the environment.

C) Human resource development

19.22. International organizations, with the participation of Governments and non-governmental organizations, should launch training and education projects involving women and children, who are at greatest risk, in order to enable countries, and particularly developing countries, to make maximum national use of international assessments of chemical risks.

D) Capacity-building

19.23. International organizations, building on past, present and future assessment work, should support countries, particularly developing countries, in developing and strengthening risk assessment capabilities at national and regional levels to minimize, and as far as possible control and prevent, risk in the manufacturing and use of toxic and hazardous chemicals. Technical cooperation and financial support or other contributions should be given to activities aimed at expanding and accelerating the national and international assessment and control of chemical risks to enable the best choice of chemicals.

B. Harmonization of classification and labelling of chemicals

Basis for action

19.24. Adequate labelling of chemicals and the dissemination of safety data sheets such as ICSCs (International Chemical Safety Cards) and similarly written materials, based on assessed hazards to health and environment, are the simplest and most efficient way of indicating how to handle and use chemicals safely.

19.25. For the safe transport of dangerous goods, including chemicals, a comprehensive scheme elaborated within the United Nations system is in current use. This scheme mainly takes into account the acute hazards of chemicals.

19.26. Globally harmonized hazard classification and labelling systems are not yet available to promote the safe use of chemicals, inter alia, at the workplace or in the home. Classification of chemicals can be made for different purposes and is a particularly important tool in establishing labelling systems. There is a need to develop harmonized hazard classification and labelling systems, building on ongoing work.

Objectives

19.27. A globally harmonized hazard classification and compatible labelling system, including material safety data sheets and easily understandable symbols, should be available, if feasible, by the year 2000.

Activities

A) Management-related activities

19.28. Governments, through the cooperation of relevant international organizations and industry, where appropriate, should launch a project with a view to establishing and elaborating a harmonized classification and compatible labelling system for chemicals for use in all United Nations official languages including adequate pictograms. Such a labelling system should not lead to the imposition of unjustified trade barriers. The new system should draw on current systems to the greatest extent possible; it should be developed in steps and should address the subject of compatibility with labels of various applications.

B) Data and information

19.29. International bodies including, inter alia, IPCS (UNEP, ILO, WHO), FAO, the International Maritime Organization (IMO), the United Nations Committee of Experts on the Transport of Dangerous Goods and OECD, in cooperation with regional and national authorities having existing classification and labelling and other information-dissemination systems, should establish a coordinating group to:

(a) Evaluate and, if appropriate, undertake studies of existing hazard classification and information systems to establish general principles for a globally harmonized system;

(b) Develop and implement a work plan for the establishment of a globally harmonized hazard classification system. The plan should include a description of the tasks to be completed, deadline for completion and assignment of tasks to the participants in the coordinating group;

(c) Elaborate a harmonized hazard classification system;

(d) Draft proposals for standardization of hazard communication terminology and symbols in order to enhance risk management of chemicals and facilitate both international trade and translation of information into the end-user's language;

(e) Elaborate a harmonized labelling system.

Means of implementation

A) Financial and cost evaluation

19.30. The Conference secretariat has included the technical assistance costs related to this programme in estimates provided in programme area E. They estimate the average total annual cost (1993-2000) for strengthening international organizations to be about \$3 million from the international community on grant or concessional terms. These are indicative and order-of-magnitude estimates only and have not been reviewed by Governments. Actual costs and financial terms, including any that are non-concessional, will depend upon, inter alia, the specific strategies and programmes Governments decide upon for implementation.

B) Human resource development

19.31. Governments and institutions and non-governmental organizations, with the collaboration of appropriate organizations and programmes of the United Nations, should launch training courses and information campaigns to facilitate the understanding and use of a new harmonized classification and compatible labelling system for chemicals.

C) Capacity-building

19.32. In strengthening national capacities for management of chemicals, including development and implementation of, and adaptation to, new classification and labelling systems, the creation of trade barriers should be avoided and the limited capacities and resources of a large number of countries, particularly developing countries, for implementing such systems, should be taken into full account.

C. Information exchange on toxic chemicals and chemical risks

Basis for action

19.33. The following activities, related to information exchange on the benefits as well as the risks associated with the use of chemicals, are aimed at enhancing the sound management of toxic chemicals through the exchange of scientific, technical, economic and legal information.

19.34. The London Guidelines for the Exchange of Information on Chemicals in International Trade are a set of guidelines adopted by Governments with a view to increasing chemical safety through the exchange of information on chemicals. Special provisions have been included in the guidelines with regard to the exchange of information on banned and severely restricted chemicals.

19.35. The export to developing countries of chemicals that have been banned in producing countries or whose use has been severely restricted in some industrialized countries has been the subject of concern, as some importing countries lack the ability to ensure safe use, owing to inadequate infrastructure for controlling the importation, distribution, storage, formulation and disposal of chemicals.

19.36. In order to address this issue, provisions for Prior Informed Consent (PIC) procedures were introduced in 1989 in the London Guidelines (UNEP) and in the International Code of Conduct on the Distribution and Use of Pesticides (FAO). In addition a joint FAO/UNEP programme has been launched for the operation of the PIC procedures for chemicals, including the selection of chemicals to be included in the PIC procedure and preparation of PIC decision guidance documents. The ILO chemicals convention calls for communication between exporting and importing countries when hazardous chemicals have been prohibited for reasons of safety and health at work. Within the General Agreement on Tariffs and Trade (GATT) framework, negotiations have been pursued with a view to creating a binding instrument on products banned or severely restricted in the domestic market. Further, the GATT Council has agreed, as stated in its decision contained in C/M/251, to extend the mandate of the working group for a period of three months, to begin from the date of the group's next meeting, and has authorized the Chairman to hold consultations on timing with respect to convening this meeting.

19.37. Notwithstanding the importance of the PIC procedure, information exchange on all chemicals is necessary.

Objectives

19.38. The objectives of this programme area are:

(a) To promote intensified exchange of information on chemical safety, use and emissions among all involved parties;

(b) To achieve by the year 2000, as feasible, full participation in and implementation of the PIC procedure, including possible mandatory applications through legally binding instruments contained in the Amended London Guidelines and in the FAO

International Code of Conduct, taking into account the experience gained within the PIC procedure.

Activities

A) Management-related activities

19.39. Governments and relevant international organizations with the cooperation of industry should:

(a) Strengthen national institutions responsible for information exchange on toxic chemicals and promote the creation of national centres where these centres do not exist;

(b) Strengthen international institutions and networks, such as IRPTC, responsible for information exchange on toxic chemicals;

(c) Establish technical cooperation with, and provide information to, other countries, especially those with shortages of technical expertise, including training in the interpretation of relevant technical data, such as Environmental Health Criteria Documents, Health and Safety Guides and International Chemical Safety Cards (published by IPCS); monographs on the Evaluation of Carcinogenic Risks of Chemicals to Humans (published by the International Agency for Research on Cancer (IARC)); and decision guidance documents (provided through the FAO/UNEP joint programme on PIC), as well as those submitted by industry and other sources;

(d) Implement the PIC procedures as soon as possible and, in the light of experience gained, invite relevant international organizations, such as UNEP, GATT, FAO, WHO and others, in their respective area of competence to consider working expeditiously towards the conclusion of legally binding instruments.

B) Data and information

19.40. Governments and relevant international organizations with the cooperation of industry should:

(a) Assist in the creation of national chemical information systems in developing countries and improve access to existing international systems;

(b) Improve databases and information systems on toxic chemicals, such as emission inventory programmes, through provision of training in the use of those systems as well as software, hardware and other facilities;

(c) Provide knowledge and information on severely restricted or banned chemicals to importing countries to enable them to judge and take decisions on whether to import, and how to handle, those chemicals and establish joint responsibilities in trade of chemicals between importing and exporting countries;

(d) Provide data necessary to assess risks to human health and the environment of possible alternatives to banned or severely restricted chemicals.

19.41. United Nations organizations should provide, as far as possible, all international information material on toxic chemicals in all United Nations official languages.

C) International and regional cooperation and coordination

19.42. Governments and relevant international organizations with the cooperation of industry should cooperate in establishing, strengthening and expanding, as appropriate, the network of designated national authorities for exchange of information on chemicals and establish a technical exchange programme to produce a core of trained personnel within each participating country.

Means of implementation

Financing and cost evaluation

19.43. The Conference secretariat has estimated the average total annual cost (1993-2000) of implementing the activities of this programme to be about \$10 million from the international community on grant or concessional terms. These are indicative and order-of-magnitude estimates only and have not been reviewed by Governments. Actual costs and financial terms, including any that are non-concessional, will depend upon, inter alia, the specific strategies and programmes Governments decide upon for implementation.

D. Establishment of risk reduction programmes

Basis for action

19.44. There are often alternatives to toxic chemicals currently in use. Thus, risk reduction can sometimes be achieved by using other chemicals or even non-chemical technologies. The classic example of risk reduction is the substitution of harmless or less harmful substances for harmful ones. Establishment of pollution prevention procedures and setting standards for chemicals in each environmental medium, including food and water, and in consumer goods, constitute another example of risk reduction. In a wider context, risk reduction involves broad-based approaches to reducing the risks of toxic chemicals, taking into account the entire life cycle of the chemicals. Such approaches could encompass both regulatory and non-regulatory measures, such as promotion of the use of cleaner products and technologies, pollution prevention procedures and programmes, emission inventories, product labelling, use limitations, economic incentives, procedures for safe handling and exposure regulations, and the phasing out or banning of chemicals that pose unreasonable and otherwise unmanageable risks to human health and the environment and of those that are toxic, persistent and bio-accumulative and whose use cannot be adequately controlled.

19.45. In the agricultural area, integrated pest management, including the use of biological control agents as alternatives to toxic pesticides, is one approach to risk reduction.

19.46. Other areas of risk reduction encompass the prevention of chemical accidents, prevention of poisoning by chemicals and the undertaking of toxicovigilance and coordination of clean-up and rehabilitation of areas damaged by toxic chemicals.

19.47. The OECD Council has decided that OECD member countries should establish or strengthen national risk reduction programmes. The International Council of Chemical Associations (ICCA) has introduced initiatives regarding responsible care and product stewardship aimed at reduction of chemical risks. The Awareness and Preparedness for Emergencies at Local Level (APELL) programme of UNEP is designed to assist decision makers and technical personnel in improving community awareness of hazardous installations and in preparing response plans. ILO has published a Code of Practice on the prevention of major industrial accidents and is preparing an international instrument on the prevention of industrial disasters for eventual adoption in 1993.

Objectives

19.48. The objective of the programme area is to eliminate unacceptable or unreasonable risks and, to the extent economically feasible, to reduce risks posed by toxic chemicals, by employing a broad-based approach involving a wide range of risk reduction options and by taking precautionary measures derived from a broad-based life-cycle analysis.

Activities

A) Management-related activities

19.49. Governments, through the cooperation of relevant international organizations and industry, where appropriate, should:

(a) Consider adopting policies based on accepted producer liability principles, where appropriate, as well as precautionary, anticipatory and life-cycle approaches to chemical management, covering manufacturing, trade, transport, use and disposal;

(b) Undertake concerted activities to reduce risks for toxic chemicals, taking into account the entire life cycle of the chemicals. These activities could encompass both regulatory and non-regulatory measures, such as promotion of the use of cleaner products and technologies; emission inventories; product labelling; use limitations; economic incentives; and the phasing out or banning of toxic chemicals that pose an unreasonable and otherwise unmanageable risk to the environment or human health and those that are toxic, persistent and bio-accumulative and whose use cannot be adequately controlled;

(c) Adopt policies and regulatory and non-regulatory measures to identify, and minimize exposure to, toxic chemicals by replacing them with less toxic substitutes and ultimately phasing out the chemicals that pose unreasonable and otherwise unmanageable risk to human health and the environment and those that are toxic, persistent and bio-accumulative and whose use cannot be adequately controlled;

(d) Increase efforts to identify national needs for standard setting and implementation in the context of the FAO/WHO Codex Alimentarius in order to minimize adverse effects of chemicals in food;

(e) Develop national policies and adopt the necessary regulatory framework for prevention of accidents, preparedness and response, inter alia, through land-use planning, permit systems and reporting requirements on accidents, and work with the OECD/UNEP international directory of regional response centres and the APELL programme;

(f) Promote establishment and strengthening, as appropriate, of national poison control centres to ensure prompt and adequate diagnosis and treatment of poisonings;

(g) Reduce overdependence on the use of agricultural chemicals through alternative farming practices, integrated pest management and other appropriate means;

(h) Require manufacturers, importers and others handling toxic chemicals to develop, with the cooperation of producers of such chemicals, where applicable, emergency response procedures and preparation of on-site and off-site emergency response plans;

(i) Identify, assess, reduce and minimize, or eliminate as far as feasible by environmentally sound disposal practices, risks from storage of outdated chemicals.

19.50. Industry should be encouraged to:

(a) Develop an internationally agreed upon code of principles for the management of trade in chemicals, recognizing in particular the responsibility for making available information on potential risks and environmentally sound disposal practices if those chemicals become wastes, in cooperation with Governments and relevant international organizations and appropriate agencies of the United Nations system;

(b) Develop application of a "responsible care" approach by producers and manufacturers towards chemical products, taking into account the total life cycle of such products;

(c) Adopt, on a voluntary basis, community right-to-know programmes based on international guidelines, including sharing of information on causes of accidental and potential releases and means of preventing them, and reporting on annual routine emissions of toxic chemicals to the environment in the absence of host country requirements.

B) Data and information

19.51. Governments, through the cooperation of relevant international organizations and industry, where appropriate, should:

(a) Promote exchange of information on national and regional activities to reduce the risks of toxic chemicals;

(b) Cooperate in the development of communication guidelines on chemical risks at the national level to promote information exchange with the public and the understanding of risks.

C) International and regional cooperation and coordination

19.52. Governments, through the cooperation of relevant international organizations and industry, where appropriate, should:

(a) Collaborate to develop common criteria to determine which chemicals are suitable candidates for concerted risk reduction activities;

(b) Coordinate concerted risk reduction activities;

(c) Develop guidelines and policies for the disclosure by manufacturers, importers and others using toxic chemicals of toxicity information declaring risks and emergency response arrangements;

(d) Encourage large industrial enterprises including transnational corporations and other enterprises wherever they operate to introduce policies demonstrating the commitment, with reference to the environmentally sound management of toxic chemicals, to adopt standards of operation equivalent to or not less stringent than those existing in the country of origin;

(e) Encourage and support the development and adoption by small- and medium-sized industries of relevant procedures for risk reduction in their activities;

(f) Develop regulatory and non-regulatory measures and procedures aimed at preventing the export of chemicals that are banned, severely restricted, withdrawn or not approved for health or environmental reasons, except when such export has received prior written consent from the importing country or is otherwise in accordance with the PIC procedure;

(g) Encourage national and regional work to harmonize evaluation of pesticides;

(h) Promote and develop mechanisms for the safe production, management and use of dangerous materials, formulating programmes to substitute for them safer alternatives, where appropriate;

(i) Formalize networks of emergency response centres;

(j) Encourage industry, with the help of multilateral cooperation, to phase out as appropriate, and dispose of, any banned chemicals that are still in stock or in use in an environmentally sound manner, including safe reuse, where approved and appropriate.

Means of implementation

A) Financial and cost evaluation

19.53. The Conference secretariat has included most costs related to this programme in estimates provided for programme areas A and E. They estimate other requirements for training and strengthening the emergency and poison control centres to be about \$4 million annually from the international community on grant or concessional terms. These are indicative and order-of-magnitude estimates only and have not been reviewed by Governments. Actual costs and financial terms, including any that are non-concessional, will depend upon, inter alia, the specific strategies and programmes Governments decide upon for implementation.

B) Scientific and technological means

19.54. Governments, in cooperation with relevant international organizations and programmes, should:

(a) Promote technology that would minimize release of, and exposure to, toxic chemicals in all countries;

(b) Carry out national reviews, as appropriate, of previously accepted pesticides whose acceptance was based on criteria now recognized as insufficient or outdated and of their possible replacement with other pest control methods, particularly in the case of pesticides that are toxic, persistent and/or bio-accumulative.

E. Strengthening of national capabilities and capacities for management of chemicals

Basis for action

19.55. Many countries lack national systems to cope with chemical risks. Most countries lack scientific means of collecting evidence of misuse and of judging the impact of toxic chemicals on the environment, because of the difficulties involved in the detection of many problematic chemicals and systematically tracking their flow. Significant new uses are among the potential hazards to human health and the environment in developing countries. In several countries with systems in place there is an urgent need to make those systems more efficient.

19.56. Basic elements for sound management of chemicals are: (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 and (h) capacity to respond to emergencies.

19.57. As management of chemicals takes place within a number of sectors related to various national ministries, experience suggests that a coordinating mechanism is essential.

Objective

19.58. By the year 2000, national systems for environmentally sound management of chemicals, including legislation and provisions for implementation and enforcement, should be in place in all countries to the extent possible.

Activities

A) Management-related activities

19.59. Governments, where appropriate and with the collaboration of relevant intergovernmental organizations, agencies and programmes of the United Nations system, should:

- (a) Promote and support multidisciplinary approaches to chemical safety problems;
- (b) Consider the need to establish and strengthen, where appropriate, a national coordinating mechanism to provide a liaison for all parties involved in chemical safety activities (for example, agriculture, environment, education, industry, labour, health, transportation, police, civil defence, economic affairs, research institutions, and poison control centres);
- (c) Develop institutional mechanisms for the management of chemicals, including effective means of enforcement;
- (d) Establish and develop or strengthen, where appropriate, networks of emergency response centres, including poison control centres;
- (e) Develop national and local capabilities to prepare for and respond to accidents by taking into account the UNEP APELL programme and similar programmes on accident prevention, preparedness and response, where appropriate, including regularly tested and updated emergency plans;
- (f) Develop, in cooperation with industry, emergency response procedures, identifying means and equipment in industries and plants necessary to reduce impacts of accidents.

B) Data and information

19.60. Governments should:

- (a) Direct information campaigns such as programmes providing information about chemical stockpiles, environmentally safer alternatives and emission inventories that could also be a tool for risk reduction to the general public to increase the awareness of problems of chemical safety;
- (b) Establish, in conjunction with IRPTC, national registers and databases, including safety information, for chemicals;
- (c) Generate field monitoring data for toxic chemicals of high environmental importance;
- (d) Cooperate with international organizations, where appropriate, to effectively monitor and control the generation, manufacturing, distribution, transportation and disposal activities relating to toxic chemicals, to foster preventive and precautionary approaches and ensure compliance with safety management rules, and provide accurate reporting of relevant data.

C) International and regional cooperation and coordination

19.61. Governments, with the cooperation of international organizations, where appropriate, should:

(a) Prepare guidelines, where not already available, with advice and check-lists for enacting legislation in the chemical safety field;

(b) Support countries, particularly developing countries, in developing and further strengthening national legislation and its implementation;

(c) Consider adoption of community right-to-know or other public information-dissemination programmes, when appropriate, as possible risk reduction tools. Appropriate international organizations, in particular UNEP, OECD, the Economic Commission for Europe (ECE) and other interested parties, should consider the possibility of developing a guidance document on the establishment of such programmes for use by interested Governments. The document should build on existing work on accidents and include new guidance on toxic emission inventories and risk communication. Such guidance should include harmonization of requirements, definitions and data elements to promote uniformity and allow sharing of data internationally;

(d) Build on past, present and future risk assessment work at an international level, to support countries, particularly developing countries, in developing and strengthening risk assessment capabilities at national and regional levels to minimize risk in the manufacturing and use of toxic chemicals;

(e) Promote implementation of UNEP's APELL programme and, in particular, use of an OECD/UNEP international directory of emergency response centres;

(f) Cooperate with all countries, particularly developing countries, in the setting up of an institutional mechanism at the national level and the development of appropriate tools for management of chemicals;

(g) Arrange information courses at all levels of production and use, aimed at staff working on chemical safety issues;

(h) Develop mechanisms to make maximum use in countries of internationally available information;

(i) Invite UNEP to promote principles for accident prevention, preparedness and response for Governments, industry and the public, building on ILO, OECD and ECE work in this area.

Means of implementation

A) Financing and cost evaluation

19.62. The Conference secretariat has estimated the average total annual cost (1993-2000) of implementing the activities of this programme in developing countries to be about \$600 million, including \$150 million from the international

community on grant or concessional terms. These are indicative and order-of-magnitude estimates only and have not been reviewed by Governments. Actual costs and financial terms, including any that are non-concessional, will depend upon, inter alia, the specific strategies and programmes Governments decide upon for implementation.

B) Scientific and technological means

19.63. International organizations should:

(a) Promote the establishment and strengthening of national laboratories to ensure the availability of adequate national control in all countries regarding the importation, manufacture and use of chemicals;

(b) Promote translation, where feasible, of internationally prepared documents on chemical safety into local languages and support various levels of regional activities related to technology transfer and information exchange.

C) Human resource development

19.64. International organizations should:

(a) Enhance technical training for developing countries in relation to risk management of chemicals;

(b) Promote and increase support for research activities at the local level by providing grants and fellowships for studies at recognized research institutions active in disciplines of importance for chemical safety programmes.

19.65. Governments should organize, in collaboration with industry and trade unions, training programmes in the management of chemicals, including emergency response, targeted at all levels. In all countries basic elements of chemical safety principles should be included in the primary education curricula.

F. Prevention of illegal international traffic in toxic and dangerous products

19.66. There is currently no global international agreement on traffic in toxic and dangerous products (toxic and dangerous products are those that are banned, severely restricted, withdrawn or not approved for use or sale by Governments in order to protect public health and the environment). However, there is international concern that illegal international traffic in these products is detrimental to public health and the environment, particularly in developing countries, as acknowledged by the General Assembly in resolutions 42/183 and 44/226. Illegal traffic refers to traffic that is carried out in contravention of a country's laws or relevant international legal instruments. The concern also relates to transboundary movements of those products that are not carried out in accordance with applicable internationally adopted guidelines and principles. Activities under this programme area are intended to improve detection and prevention of the traffic concerned.

19.67. Further strengthening of international and regional cooperation is needed to prevent illegal transboundary movement of toxic and dangerous products.

Furthermore, capacity-building at the national level is needed to improve monitoring and enforcement capabilities involving recognition of the fact that appropriate penalties may need to be imposed under an effective enforcement programme. Other activities envisaged in the present chapter (for example, under paragraph 19.39 (d)) will also contribute to achieving these objectives.

Objectives

19.68. The objectives of the programme are:

(a) To reinforce national capacities to detect and halt any illegal attempt to introduce toxic and dangerous products into the territory of any State, in contravention of national legislation and relevant international legal instruments;

(b) To assist all countries, particularly developing countries, in obtaining all appropriate information concerning illegal traffic in toxic and dangerous products.

Activities

A) Management-related activities

19.69. Governments, according to their capacities and available resources and with the cooperation of the United Nations and other relevant organizations, as appropriate, should:

(a) Adopt, where necessary, and implement legislation to prevent the illegal import and export of toxic and dangerous products;

(b) Develop appropriate national enforcement programmes to monitor compliance with such legislation, and detect and deter violations through appropriate penalties.

B) Data and information

19.70. Governments should develop, as appropriate, national alert systems to assist in detecting illegal traffic in toxic and dangerous products; local communities, and others could be involved in the operation of such a system.

19.71. Governments should cooperate in the exchange of information on illegal transboundary movements of toxic and dangerous products and should make such information available to appropriate United Nations bodies, such as UNEP and the regional commissions.

C) International and regional cooperation and coordination

19.72. Further strengthening of international and regional cooperation is needed to prevent illegal transboundary movement of toxic and dangerous products.

19.73. The regional commissions, in cooperation with and relying upon expert support and advice from UNEP and other relevant bodies of the United Nations, should monitor, on the basis of data and information provided by Governments, and on a continuous basis make regional assessments of, the illegal traffic in toxic and

dangerous products and its environmental, economic and health implications, in each region, drawing upon the results and experience gained in the joint UNEP/ESCAP preliminary assessment of illegal traffic, expected to be completed in August 1992.

19.74. Governments and international organizations, as appropriate, should cooperate with developing countries in strengthening their institutional and regulatory capacities in order to prevent illegal import and export of toxic and dangerous products.

G. Enhancement of international cooperation relating to several of the programme areas

19.75. A meeting of government-designated experts, held in London in December 1991, made recommendations for increased coordination among United Nations bodies and other international organizations involved in chemical risk assessment and management. That meeting called for the taking of appropriate measures to enhance the role of IPCS and establish an intergovernmental forum on chemical risk assessment and management.

19.76. To further consider the recommendations of the London meeting and initiate action on them, as appropriate, the Executive Heads of WHO, ILO and UNEP are invited to convene an intergovernmental meeting within one year, which could constitute the first meeting of the intergovernmental forum.

Chapter 20 - ENVIRONMENTALLY SOUND MANAGEMENT OF HAZARDOUS WASTES, INCLUDING PREVENTION OF ILLEGAL INTERNATIONAL TRAFFIC IN HAZARDOUS WASTES

INTRODUCTION

20.1. Effective control of the generation, storage, treatment, recycling and reuse, transport, recovery and disposal of hazardous wastes is of paramount importance for proper health, environmental protection and natural resource management, and sustainable development. This will require the active cooperation and participation of the international community, Governments and industry. Industry, as referred to in this paper, shall include large industrial enterprises, including transnational corporations and domestic industry.

20.2. Prevention of the generation of hazardous wastes and the rehabilitation of contaminated sites are the key elements, and both require knowledge, experienced people, facilities, financial resources and technical and scientific capacities.

20.3. The activities outlined in the present chapter are very closely related to, and have implications for, many of the programme areas described in other chapters, so that an overall integrated approach to hazardous waste management is necessary.

20.4. There is international concern that part of the international movement of hazardous wastes is being carried out in contravention of existing national legislation and international instruments to the detriment of the environment and public health of all countries, particularly developing countries.

20.5. In section I of resolution 44/226 of 22 December 1989, the General Assembly requested each regional commission, within existing resources, to contribute to the prevention of the illegal traffic in toxic and dangerous products and wastes by monitoring and making regional assessments of that illegal traffic and its environmental and health implications. The Assembly also requested the regional commissions to interact among themselves and cooperate with the United Nations Environment Programme (UNEP), with a view to maintaining efficient and coordinated monitoring and assessment of the illegal traffic in toxic and dangerous products and wastes.

Overall objective

20.6. Within the framework of integrated life-cycle management, the overall objective is to prevent to the extent possible, and minimize, the generation of hazardous wastes, as well as to manage those wastes in such a way that they do not cause harm to health and the environment.

Overall targets

20.7. The overall targets are:

(a) Preventing or minimizing the generation of hazardous wastes as part of an overall integrated cleaner production approach; eliminating or reducing to a minimum transboundary movements of hazardous wastes, consistent with the environmentally sound and efficient management of those wastes; and ensuring that environmentally sound hazardous waste management options are pursued to the maximum extent possible within the country of origin (the self-sufficiency principle). The transboundary movements that take place should be on environmental and economic grounds and based upon agreements between the States concerned;

(b) Ratification of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal and the expeditious elaboration of related protocols, such as the protocol on liability and compensation, mechanisms and guidelines to facilitate the implementation of the Basel Convention;

(c) Ratification and full implementation by the countries concerned of the Bamako Convention on the Ban on the Import into Africa and the Control of Transboundary Movement of Hazardous Wastes within Africa and the expeditious elaboration of a protocol on liability and compensation;

(d) Elimination of the export of hazardous wastes to countries that, individually or through international agreements, prohibits the import of such wastes, such as, the contracting parties to the Bamako Convention, the fourth Lom Convention or other relevant conventions, where such prohibition is provided for.

20.8. The following programme areas are included in this chapter:

(a) Promoting the prevention and minimization of hazardous waste;

(b) Promoting and strengthening institutional capacities in hazardous waste management;

(c) Promoting and strengthening international cooperation in the management of transboundary movements of hazardous wastes;

(d) Preventing illegal international traffic in hazardous wastes.

PROGRAMME AREAS

A. Promoting the prevention and minimization of hazardous waste

Basis for action

20.9. Human health and environmental quality are undergoing continuous degradation by the increasing amount of hazardous wastes being produced. There are increasing direct and indirect costs to society and to individual citizens in connection with the generation, handling and disposal of such wastes. It is therefore crucial to enhance knowledge and information on the economics of prevention and management of hazardous wastes, including the impact in relation to the employment and environmental benefits, in order to ensure that the necessary

capital investment is made available in development programmes through economic incentives. One of the first priorities in hazardous waste management is minimization, as part of a broader approach to changing industrial processes and consumer patterns through pollution prevention and cleaner production strategies.

20.10. Among the most important factors in these strategies is the recovery of hazardous wastes and their transformation into useful material. Technology application, modification and development of new low-waste technologies are therefore currently a central focus of hazardous waste minimization.

Objectives

20.11. The objectives of this programme area are:

- (a) To reduce the generation of hazardous wastes, to the extent feasible, as part of an integrated cleaner production approach;
- (b) To optimize the use of materials by utilizing, where practicable and environmentally sound, the residues from production processes;
- (c) To enhance knowledge and information on the economics of prevention and management of hazardous wastes.

20.12. To achieve those objectives, and thereby reduce the impact and cost of industrial development, countries that can afford to adopt the requisite technologies without detriment to their development should establish policies that include:

- (a) Integration of cleaner production approaches and hazardous waste minimization in all planning, and the adoption of specific goals;
- (b) Promotion of the use of regulatory and market mechanisms;
- (c) Establishment of an intermediate goal for the stabilization of the quantity of hazardous waste generated;
- (d) Establishment of long-term programmes and policies including targets where appropriate for reducing the amount of hazardous waste produced per unit of manufacture;
- (e) Achievement of a qualitative improvement of waste streams, mainly through activities aimed at reducing their hazardous characteristics;
- (f) Facilitation of the establishment of cost-effective policies and approaches to hazardous waste prevention and management, taking into consideration the state of development of each country.

Activities

A) Management-related activities

20.13. The following activities should be undertaken:

(a) Governments should establish or modify standards or purchasing specifications to avoid discrimination against recycled materials, provided that those materials are environmentally sound;

(b) Governments, according to their possibilities and with the help of multilateral cooperation, should provide economic or regulatory incentives, where appropriate, to stimulate industrial innovation towards cleaner production methods, to encourage industry to invest in preventive and/or recycling technologies so as to ensure environmentally sound management of all hazardous wastes, including recyclable wastes, and to encourage waste minimization investments;

(c) Governments should intensify research and development activities on cost-effective alternatives for processes and substances that currently result in the generation of hazardous wastes that pose particular problems for environmentally sound disposal or treatment, the possibility of ultimate phase-out of those substances that present an unreasonable or otherwise unmanageable risk and are toxic, persistent and bio-accumulative to be considered as soon as practicable. Emphasis should be given to alternatives that could be economically accessible to developing countries;

(d) Governments, according to their capacities and available resources and with the cooperation of the United Nations and other relevant organizations and industries, as appropriate, should support the establishment of domestic facilities to handle hazardous wastes of domestic origin;

(e) Governments of developed countries should promote the transfer of environmentally sound technologies and know-how on clean technologies and low-waste production to developing countries in conformity with chapter 34, which will bring about changes to sustain innovation. Governments should cooperate with industry to develop guidelines and codes of conduct, where appropriate, leading to cleaner production through sectoral trade industry associations;

(f) Governments should encourage industry to treat, recycle, reuse and dispose of wastes at the source of generation, or as close as possible thereto, whenever hazardous waste generation is unavoidable and when it is both economically and environmentally efficient for industry to do so;

(g) Governments should encourage technology assessments, for example through the use of technology assessment centres;

(h) Governments should promote cleaner production through the establishment of centres providing training and information on environmentally sound technologies;

(i) Industry should establish environmental management systems, including environmental auditing of its production or distribution sites, in order to identify where the installation of cleaner production methods is needed;

(j) A relevant and competent United Nations organization should take the lead, in cooperation with other organizations, to develop guidelines for estimating the costs

and benefits of various approaches to the adoption of cleaner production and waste minimization and environmentally sound management of hazardous wastes, including rehabilitation of contaminated sites, taking into account, where appropriate, the report of the 1991 Nairobi meeting of government-designated experts on an international strategy and an action programme, including technical guidelines for the environmentally sound management of hazardous wastes; in particular in the context of the work of the Basel Convention, being developed under the UNEP secretariat;

(k) Governments should establish regulations that lay down the ultimate responsibility of industries for environmentally sound disposal of the hazardous wastes their activities generate.

B) Data and information

20.14. The following activities should be undertaken:

(a) Governments, assisted by international organizations, should establish mechanisms for assessing the value of existing information systems;

(b) Governments should establish nationwide and regional information collection and dissemination clearing-houses and networks that are easy for Government institutions and industry and other non-governmental organizations to access and use;

(c) International organizations, through the UNEP Cleaner Production programme and ICPIIC, should extend and strengthen existing systems for collection of cleaner production information;

(d) All United Nations organs and organizations should promote the use and dissemination of information collected through the Cleaner Production network;

(e) OECD should, in cooperation with other organizations, undertake a comprehensive survey of, and disseminate information on, experiences of member countries in adopting economic regulatory schemes and incentive mechanisms for hazardous waste management and for the use of clean technologies that prevent such waste from being generated;

(f) Governments should encourage industries to be transparent in their operations and provide relevant information to the communities that might be affected by the generation, management and disposal of hazardous wastes.

C) International and regional cooperation and coordination

20.15. International/regional cooperation should encourage the ratification by States of the Basel and Bamako Conventions and promote the implementation of those Conventions. Regional cooperation will be necessary for the development of similar conventions in regions other than Africa, if so required. In addition there is a need for effective coordination of international regional and national policies and instruments. Another activity proposed is cooperating in monitoring the effects of the management of hazardous wastes.

Means of implementation

A) Financing and cost evaluation

20.16. The Conference secretariat has estimated the average total annual cost (1993-2000) of implementing the activities of this programme to be about \$750 million from the international community on grant or concessional terms. These are indicative and order-of-magnitude estimates only and have not been reviewed by Governments. Actual costs and financial terms, including any that are non-concessional, will depend upon, inter alia, the specific strategies and programmes Governments decide upon for implementation.

(b) Scientific and technological means

20.17. The following activities related to technology development and research should be undertaken:

(a) Governments, according to their capacities and available resources and with the cooperation of the United Nations and other relevant organizations, and industries, as appropriate, should significantly increase financial support for cleaner technology research and development programmes, including the use of biotechnologies;

(b) States, with the cooperation of international organizations where appropriate, should encourage industry to promote and undertake research into the phase-out of the processes that pose the greatest environmental risk based on hazardous wastes generated;

(c) States should encourage industry to develop schemes to integrate the cleaner production approach into design of products and management practices;

(d) States should encourage industry to exercise environmentally responsible care through hazardous waste reduction and by ensuring the environmentally sound reuse, recycling and recovery of hazardous wastes, as well as their final disposal.

C) Human resource development

20.18. The following activities should be undertaken:

(a) Governments, international organizations and industry should encourage industrial training programmes, incorporating hazardous waste prevention and minimization techniques and launching demonstration projects at the local level to develop "success stories" in cleaner production;

(b) Industry should integrate cleaner production principles and case examples into training programmes and establish demonstration projects/networks by sector/country;

(c) All sectors of society should develop cleaner production awareness campaigns and promote dialogue and partnership with industry and other actors.

D) Capacity-building

20.19. The following activities should be undertaken:

(a) Governments of developing countries, in cooperation with industry and with the cooperation of appropriate international organizations, should develop inventories of hazardous waste production, in order to identify their needs with respect to technology transfer and implementation of measures for the sound management of hazardous wastes and their disposal;

(b) Governments should include in national planning and legislation an integrated approach to environmental protection, driven by prevention and source reduction criteria, taking into account the "polluter pays" principle, and adopt programmes for hazardous waste reduction, including targets and adequate environmental control;

(c) Governments should work with industry on sector-by-sector cleaner production and hazardous waste minimization campaigns, as well as on the reduction of such wastes and other emissions;

(d) Governments should take the lead in establishing and strengthening, as appropriate, national procedures for environmental impact assessment, taking into account the cradle-to-grave approach to the management of hazardous wastes, in order to identify options for minimizing the generation of hazardous wastes, through safer handling, storage, disposal and destruction;

(e) Governments, in collaboration with industry and appropriate international organizations, should develop procedures for monitoring the application of the cradle to grave approach, including environmental audits;

(f) Bilateral and multilateral development assistance agencies should substantially increase funding for cleaner technology transfer to developing countries, including small- and medium-sized enterprises.

B. Promoting and strengthening institutional capacities in hazardous waste management

Basis for action

20.20. Many countries lack the national capacity to handle and manage hazardous wastes. This is primarily due to inadequate infrastructure, deficiencies in regulatory frameworks, insufficient education and training programmes and lack of coordination between the different ministries and institutions involved in various aspects of waste management. In addition, there is a lack of knowledge about environmental contamination and pollution and the associated health risk from the exposure of populations, especially women and children, and ecosystems to hazardous wastes; assessment of risks; and the characteristics of wastes. Steps need to be taken immediately to identify populations at high risk and to take remedial measures, where necessary. One of the main priorities in ensuring environmentally sound management of hazardous wastes is to provide awareness, education and training programmes covering all levels of society. There is also a need to undertake research programmes to understand the nature of hazardous wastes, to identify their potential environmental effects and to develop technologies to safely handle those

wastes. Finally, there is a need to strengthen the capacities of institutions that are responsible for the management of hazardous wastes.

Objectives

20.21. The objectives in this programme area are:

(a) To adopt appropriate coordinating, legislative and regulatory measures at the national level for the environmentally sound management of hazardous wastes, including the implementation of international and regional conventions;

(b) To establish public awareness and information programmes on hazardous waste issues and to ensure that basic education and training programmes are provided for industry and government workers in all countries;

(c) To establish comprehensive research programmes on hazardous wastes in countries;

(d) To strengthen service industries to enable them to handle hazardous wastes, and to build up international networking;

(e) To develop endogenous capacities in all developing countries to educate and train staff at all levels in environmentally sound hazardous waste handling and monitoring and in environmentally sound management;

(f) To promote human exposure assessment with respect to hazardous waste sites and identify the remedial measures required;

(g) To facilitate the assessment of impacts and risks of hazardous wastes on human health and the environment by establishing appropriate procedures, methodologies, criteria and/or effluent-related guidelines and standards;

(h) To improve knowledge regarding the effects of hazardous wastes on human health and the environment;

(i) To make information available to Governments and to the general public on the effects of hazardous wastes, including infectious wastes, on human health and the environment.

Activities

A) Management-related activities

20.22. The following activities should be undertaken:

(a) Governments should establish and maintain inventories, including computerized inventories, of hazardous wastes and their treatment/disposal sites, as well as of contaminated sites that require rehabilitation, and assess exposure and risk to human health and the environment; they should also identify the measures required to clean up the disposal sites. Industry should make the necessary information available;

(b) Governments, industry and international organizations should collaborate in developing guidelines and easy-to-implement methods for the characterization and classification of hazardous wastes;

(c) Governments should carry out exposure and health assessments of populations residing near uncontrolled hazardous waste sites and initiate remedial measures;

(d) International organizations should develop improved health-based criteria, taking into account national decision-making processes, and assist in the preparation of practical technical guidelines for the prevention, minimization and safe handling and disposal of hazardous wastes;

(e) Governments of developing countries should encourage interdisciplinary and intersectoral groups, in cooperation with international organizations and agencies, to implement training and research activities related to evaluation, prevention and control of hazardous waste health risks. Such groups should serve as models to develop similar regional programmes;

(f) Governments, according to their capacities and available resources and with the cooperation of the United Nations and other relevant organizations as appropriate, should encourage as far as possible the establishment of combined treatment/disposal facilities for hazardous wastes in small- and medium-sized industries;

(g) Governments should promote identification and clean-up of sites of hazardous wastes in collaboration with industry and international organizations. Technologies, expertise and financing should be available for this purpose, as far as possible and when appropriate with the application of the "polluter pays" principle;

(h) Governments should ascertain that their military establishments conform to their nationally applicable environmental norms in the treatment and disposal of hazardous wastes.

B) Data and information

20.23. The following activities should be undertaken:

(a) Governments, international and regional organizations and industry should facilitate and expand the dissemination of technical and scientific information dealing with the various health aspects of hazardous wastes, and promote its application;

(b) Governments should establish notification systems and registries of exposed populations and of adverse health effects and databases on risk assessments of hazardous wastes;

(c) Governments should endeavour to collect information on those who generate or dispose/recycle hazardous wastes and provide such information to the individuals and institutions concerned.

C) International and regional cooperation and coordination

20.24. Governments, according to their capacities and available resources and with the cooperation of the United Nations and other relevant organizations, as appropriate, should:

(a) Promote and support the integration and operation, at the regional and local levels as appropriate, of institutional and interdisciplinary groups that collaborate, according to their capabilities, in activities oriented towards strengthening risk assessment, risk management and risk reduction with respect to hazardous wastes;

(b) Support capacity-building and technological development and research in developing countries in connection with human resource development, with particular support to be given to consolidating networks;

(c) Encourage self-sufficiency in hazardous waste disposal in the country of origin to the extent environmentally sound and feasible. The transboundary movements that take place should be on environmental and economic grounds and based upon agreements between all States concerned.

Means of implementation

A) Financing and cost evaluation

20.25. The Conference secretariat has estimated the average total annual cost (1993-2000) of implementing the activities of this programme to be about \$18.5 billion on a global basis with about \$3.5 billion related to developing countries, including about \$500 million from the international community on grant or concessional terms. These are indicative and order-of-magnitude estimates only and have not been reviewed by Governments. Actual costs and financial terms, including any that are non-concessional, will depend upon, inter alia, the specific strategies and programmes Governments decide upon for implementation.

B) Scientific and technological means

20.26. The following activities should be undertaken:

(a) Governments, according to their capacities and available resources and with the cooperation of the United Nations and other relevant organizations and industry as appropriate, should increase support for hazardous waste research management in developing countries;

(b) Governments, in collaboration with international organizations, should conduct research on the health effects of hazardous wastes in developing countries, including the long-term effects on children and women;

(c) Governments should conduct research aimed at the needs of small and medium-sized industries;

(d) Governments and international organizations in cooperation with industry should expand technological research on environmentally sound hazardous waste handling, storage, transport, treatment and disposal and on hazardous waste assessment, management and remediation;

(e) International organizations should identify relevant and improved technologies for handling, storage, treatment and disposal of hazardous wastes.

C) Human resource development

20.27. Governments, according to their capacities and available resources and with the cooperation of the United Nations and other relevant organizations and industry as appropriate, should:

(a) Increase public awareness and information on hazardous waste issues and promote the development and dissemination of hazardous wastes information that the general public can understand;

(b) Increase participation in hazardous waste management programmes by the general public, particularly women, including participation at grass-roots levels;

(c) Develop training and education programmes for men and women in industry and Government aimed at specific real-life problems, for example, planning and implementing hazardous waste minimization programmes, conducting hazardous materials audits and establishing appropriate regulatory programmes;

(d) Promote the training of labour, industrial management and government regulatory staff in developing countries on technologies to minimize and manage hazardous wastes in an environmentally sound manner.

20.28. The following activities should also be undertaken:

(a) Governments, according to their capacities and available resources and with the cooperation of the United Nations, other organizations and non-governmental organizations, should collaborate in developing and disseminating educational materials concerning hazardous wastes and their effects on environment and human health, for use in schools, by women's groups and by the general public;

(b) Governments, according to their capacities and available resources and with the cooperation of the United Nations and other organizations, should establish or strengthen programmes for the environmentally sound management of hazardous wastes in accordance with, as appropriate, health and environmental standards, and extend surveillance systems for the purpose of identifying adverse effects on populations and the environment of exposure to hazardous wastes;

(c) International organizations should provide assistance to member States in assessing the health and environmental risks resulting from exposure to hazardous wastes, and in identifying their priorities for controlling the various categories or classes of wastes;

(d) Governments, according to their capacities and available resources and with the cooperation of the United Nations and other relevant organizations, should promote centres of excellence for training in hazardous waste management, building on appropriate national institutions and encouraging international cooperation, inter alia, through institutional links between developed and developing countries.

D) Capacity-building

20.29. Wherever they operate, transnational corporations and other large-scale enterprises should be encouraged to introduce policies and make commitments to adopt standards of operation with reference to hazardous waste generation and disposal that are equivalent to or no less stringent than standards in the country of origin, and Governments are invited to make efforts to establish regulations requiring environmentally sound management of hazardous wastes.

20.30. International organizations should provide assistance to member States in assessing the health and environmental risks resulting from exposure to hazardous wastes and in identifying their priorities for controlling the various categories or classes of wastes.

20.31. Governments, according to their capacities and available resources and with the cooperation of the United Nations and other relevant organizations and industries, should:

(a) Support national institutions in dealing with hazardous wastes from the regulatory monitoring and enforcement perspectives, with such support including enabling of those institutions to implement international conventions;

(b) Develop industry-based institutions for dealing with hazardous wastes and service industries for handling hazardous wastes;

(c) Adopt technical guidelines for the environmentally sound management of hazardous wastes and support the implementation of regional and international conventions;

(d) Develop and expand international networking among professionals working in the area of hazardous wastes and maintain an information flow among countries;

(e) Assess the feasibility of establishing and operating national, subregional and regional hazardous wastes treatment centres. Such centres could be used for education and training, as well as for facilitation and promotion of the transfer of technologies for the environmentally sound management of hazardous wastes;

(f) Identify and strengthen relevant academic/research institutions or centres for excellence to enable them to carry out education and training activities in the environmentally sound management of hazardous wastes;

(g) Develop a programme for the establishment of national capacities and capabilities to educate and train staff at various levels in hazardous wastes management;

(h) Conduct environmental audits of existing industries to improve in-plant regimes for the management of hazardous wastes.

C. Promoting and strengthening international cooperation in the management of transboundary movements of hazardous wastes

Basis for action

20.32. In order to promote and strengthen international cooperation in the management, including control and monitoring, of transboundary movements of hazardous wastes, a precautionary approach should be applied. There is a need to harmonize the procedures and criteria used in various international and legal instruments. There is also a need to develop or harmonize existing criteria for identifying wastes dangerous to the environment and to build monitoring capacities.

Objectives

20.33. The objectives of this programme area are:

(a) To facilitate and strengthen international cooperation in the environmentally sound management of hazardous wastes, including control and monitoring of transboundary movements of such wastes, including wastes for recovery, by using internationally adopted criteria to identify and classify hazardous wastes and to harmonize relevant international legal instruments;

(b) To adopt a ban on or prohibit, as appropriate, the export of hazardous wastes to countries that do not have the capacity to deal with those wastes in an environmentally sound way or that have banned the import of such wastes;

(c) To promote the development of control procedures for the transboundary movement of hazardous wastes destined for recovery operations under the Basel Convention that encourage environmentally and economically sound recycling options.

Activities

A) Management-related activities

•Strengthening and harmonizing criteria and regulations

20.34. Governments, according to their capacities and available resources and with the cooperation of United Nations and other relevant organizations, as appropriate, should:

(a) Incorporate the notification procedure called for in the Basel Convention and relevant regional conventions, as well as in their annexes, into national legislation;

(b) Formulate, where appropriate, regional agreements such as the Bamako Convention regulating the transboundary movement of hazardous wastes;

(c) Help promote the compatibility and complementarity of such regional agreements with international conventions and protocols;

(d) Strengthen national and regional capacities and capabilities to monitor and control the transboundary movement of hazardous wastes;

(e) Promote the development of clear criteria and guidelines, within the framework of the Basel Convention and regional conventions, as appropriate, for environmentally and economically sound operation in resource recovery, recycling reclamation, direct use or alternative uses and for determination of acceptable recovery practices, including recovery levels where feasible and appropriate, with a view to preventing abuses and false presentation in the above operations;

(g) Consider setting up, at national and regional levels, as appropriate, systems for monitoring and surveillance of the transboundary movements of hazardous wastes;

(h) Develop guidelines for the assessment of environmentally sound treatment of hazardous wastes;

(i) Develop guidelines for the identification of hazardous wastes at the national level, taking into account existing internationally - and, where appropriate, regionally - agreed criteria and prepare a list of hazard profiles for the hazardous wastes listed in national legislation;

(j) Develop and use appropriate methods for testing, characterizing and classifying hazardous wastes and adopt or adapt safety standards and principles for managing hazardous wastes in an environmentally sound way.

•Implementing existing agreements

20.35. Governments are urged to ratify the Basel Convention and the Bamako Convention, as applicable, and to pursue the expeditious elaboration of related protocols, such as protocols on liability and compensation, and of mechanisms and guidelines to facilitate the implementation of the Conventions.

Means of implementation

A) Financing and cost evaluation

20.36. Because this programme area covers a relatively new field of operation and because of the lack so far of adequate studies on costing of activities under this programme, no cost estimate is available at present. However, the costs for some of the activities related to capacity-building that are presented under this programme could be considered to have been covered under the costing of programme area B above.

20.37. The interim secretariat for the Basel Convention should undertake studies in order to arrive at a reasonable cost estimate for activities to be undertaken initially until the year 2000.

B) Capacity-building

20.38. Governments, according to their capacities and available resources and with the cooperation of United Nations and other relevant organizations, as appropriate, should:

(a) Elaborate or adopt policies for the environmentally sound management of hazardous wastes, taking into account existing international instruments;

(b) Make recommendations to the appropriate forums or establish or adapt norms, including the equitable implementation of the polluter pays principle, and regulatory measures to comply with obligations and principles of the Basel Convention, the Bamako Convention and other relevant existing or future agreements, including protocols, as appropriate, for setting appropriate rules and procedures in the field of liability and compensation for damage resulting from the transboundary movement and disposal of hazardous wastes;

(c) Implement policies for the implementation of a ban or prohibition, as appropriate, of exports of hazardous wastes to countries that do not have the capacity to deal with those wastes in an environmentally sound way or that have banned the import of such wastes;

(d) Study, in the context of the Basel Convention and relevant regional conventions, the feasibility of providing temporary financial assistance in the case of an emergency situation, in order to minimize damage from accidents arising from transboundary movements of hazardous wastes or during the disposal of those wastes.

D. Preventing illegal international traffic in hazardous wastes

Basis for action

20.39. The prevention of illegal traffic in hazardous wastes will benefit the environment and public health in all countries, particularly developing countries. It will also help to make the Basel Convention and regional international instruments, such as the Bamako Convention and the fourth Lom Convention, more effective by promoting compliance with the controls established in those agreements. Article IX of the Basel Convention specifically addresses the issue of illegal shipments of hazardous wastes. Illegal traffic of hazardous wastes may cause serious threats to human health and the environment and impose a special and abnormal burden on the countries that receive such shipments.

20.40. Effective prevention requires action through effective monitoring and the enforcement and imposition of appropriate penalties.

Objectives

20.41. The objectives of this programme area are:

(a) To reinforce national capacities to detect and halt any illegal attempt to introduce hazardous wastes into the territory of any State in contravention of national legislation and relevant international legal instruments;

(b) To assist all countries, particularly developing countries, in obtaining all appropriate information concerning illegal traffic in hazardous wastes;

(c) To cooperate, within the framework of the Basel Convention, in assisting countries that suffer the consequences of illegal traffic.

Activities

A) Management-related activities

20.42. Governments, according to their capacities and available resources and with the cooperation of the United Nations and other relevant organizations, as appropriate, should:

(a) Adopt, where necessary, and implement legislation to prevent the illegal import and export of hazardous wastes;

(b) Develop appropriate national enforcement programmes to monitor compliance with such legislation, detect and deter violations through appropriate penalties and give special attention to those who are known to have conducted illegal traffic in hazardous wastes and to hazardous wastes that are particularly susceptible to illegal traffic.

B) Data and information

20.43. Governments should develop as appropriate, an information network and alert system to assist in detecting illegal traffic in hazardous wastes. Local communities and others could be involved in the operation of such a network and system.

20.44. Governments should cooperate in the exchange of information on illegal transboundary movements of hazardous wastes and should make such information available to appropriate United Nations bodies such as UNEP and the regional commissions.

C) International and regional cooperation

20.45. The regional commissions, in cooperation with and relying upon expert support and advice from UNEP and other relevant bodies of the United Nations system, taking full account of the Basel Convention, shall continue to monitor and assess the illegal traffic in hazardous wastes, including its environmental, economic and health implications, on a continuing basis, drawing upon the results and experience gained in the joint UNEP/ESCAP preliminary assessment of illegal traffic.

20.46. Countries and international organizations, as appropriate, should cooperate to strengthen the institutional and regulatory capacities, in particular of developing countries, in order to prevent the illegal import and export of hazardous wastes.