



**Governing Council
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Items 4 and 5 of the provisional agenda*

**Assessment, monitoring and early warning:
state of the environment**

**Outcomes of intergovernmental meetings of relevance to the
Governing Council/Global Ministerial Environment Forum**

**State of the environment and contribution of the United Nations
Environment Programme to addressing substantive
environmental challenges**

Report of the Executive Director

Addendum

Chemicals management

* UNEP/GC.23/1.

Summary

1. The present report has been prepared pursuant to Governing Council decision 22/4 on chemicals, parts I–V. Chapter I of the document suggests action that might be taken by the Governing Council, while chapter II provides background information to support the Governing Council’s deliberations. The issues covered include:

- (a) Strategic approach to international chemicals management;
- (b) Mercury programme;
- (c) Lead;
- (d) Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade; and
- (e) Stockholm Convention on Persistent Organic Pollutants.

2. Finally, attention is drawn to the analysis of views submitted by Governments, intergovernmental organizations and non-governmental organizations on a mercury programme, contained in document UNEP/GC23/INF/19, which is of relevance to the present document. It provides a factual analysis of the views submitted by Governments, intergovernmental organizations and non-governmental organizations with regard to the progress made in the implementation of decision 22/4 V on a mercury programme, especially any goals or national actions taken, views on the need for further measures to address significant global adverse impacts of mercury and its compounds, and further action on other heavy metals, such as lead and cadmium, as requested in decision 22/4 V.

I. Suggested action by the Governing Council

A. Strategic approach to international chemicals management

1. The Governing Council may wish to consider the adoption of a decision along the lines suggested below:

Strategic approach to international chemicals management

The Governing Council,

Recalling its decisions 18/12 of 26 May 1995, 19/13 of 7 February 1997, 20/23 of 4 February 1999, SS.VII of 15 February 2002 and 22/4 IV of 7 February 2003, concerning global policies related to chemicals management and the development of a strategic approach to international chemicals management,

Recalling also the aim set out in paragraph 23 of the Plan of Implementation,¹ adopted by the World Summit on Sustainable Development on 4 September 2002, of achieving, by 2020, that chemicals are used and produced in ways that lead to the minimization of significant adverse effects on human health and the environment, using transparent science-based risk assessment procedures and science-based risk management procedures, taking into account the precautionary approach, as set out in principle 15 of the Rio Declaration on Environment and Development, and the call for support to developing countries in strengthening their capacity for the sound management of chemicals and hazardous waste by providing technical and financial assistance,

Recalling further paragraph 23 (b) of the Plan of Implementation, in which the World Summit endorsed the further development of a strategic approach to international chemicals management based on the Bahia Declaration and Priorities for Action beyond 2000 of the Intergovernmental Forum on Chemical Safety by 2005, and urged that the United Nations Environment Programme, the Intergovernmental Forum on Chemical Safety, other international organizations dealing with chemical management, and other relevant international organizations and actors closely cooperate in this regard, as appropriate,

Welcoming the participation of Governments, non-governmental organizations and intergovernmental organizations from multiple sectors such as agriculture, environment, foreign affairs, health, industry, labour and science in the first session of the Preparatory Committee for the Development of a Strategic Approach to International Chemicals Management in Bangkok, Thailand, from 9 to 13 November 2003 and in its second session in Nairobi, Kenya, from 4 to 8 October 2004,

Noting the Sirte Declaration on the Environment for Development, adopted by the African Ministerial Conference on the Environment at its tenth session, held in Sirte, Libyan Arab Jamahiriya, from 26 to 30 June 2004 in which ministers committed themselves further to prioritizing and drawing synergies from, among other things, the strategic approach to international chemicals management process, and decision 5 from the same session, in which ministers endorsed and encouraged the development of a strategic approach to international chemicals management,

Having considered the progress report of the Executive Director on the development of a strategic approach to international chemicals management,²

1. *Urges* Governments, intergovernmental organizations, non-governmental organizations, with representatives drawn from all sectors with an interest in chemical safety, to continue to participate actively in the development of a strategic approach to international chemicals management;

¹ Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002 (United Nations publication, sales No. E.03.II.A.I) chap. I, resolution 2, annex.

² UNEP/GC.23/3/Add.1.

2. *Calls upon* Governments and other stakeholders to contribute the extrabudgetary resources needed to support the further development of the strategic approach to international chemicals management with participation by stakeholders from diverse sectors;

3. *Welcomes* the concurrence in principle of the Inter-Organization Programme for the Sound Management of Chemicals and the Intergovernmental Forum on Chemical Safety, as co-convenors along with the United Nations Environment Programme, that the international conference to conclude the development of the strategic approach to international chemicals management should be held in conjunction with the ninth special session of the Governing Council/Global Ministerial Environment Forum in early 2006 and requests the Executive Director to make the necessary preparations;

4. *Requests* the Executive Director to report to the Governing Council/Global Ministerial Environment Forum at its ninth special session on the outcome of the work of the Preparatory Committee of the Development of a Strategic Approach to International Chemicals Management;

5. *Requests* the Executive Director to make provision for activities to support, in particular, developing countries and countries with economies in transition, in implementing the strategic approach to international chemicals management and to report to the Governing Council/Global Ministerial Environment Forum at its twenty-fourth session on such implementation.

B. Mercury programme

2. The Governing Council may wish, in addition to the present document, to take into consideration the report of the Executive Director on the global mercury assessment, contained in document UNEP/GC.22/2/Add.1, which was submitted to the Governing Council at its last session, and contains, in its chapter III, an outline of options for addressing any significant global adverse impacts of mercury, which might still be of value for its deliberations at this session. Copies of this document in all six official languages of the United Nations can be obtained upon request or downloaded from the web site of the United Nations Environment Programme (UNEP) at the internet address: <http://www.unep.org/GoverningBodies/GC22/documents.asp>.

3. Without prejudice to the Governing Council's deliberations during its twenty-third session, the Governing Council may wish to consider the adoption of a decision along the lines suggested below:

Mercury programme

The Governing Council,

Recalling its decisions 21/5 of 9 February 2001 on a mercury assessment, initiating an expeditious, open, transparent and inclusive process to undertake a global assessment of mercury and its compounds, to be presented to the Governing Council at its twenty-second session in 2003, and 22/4 V of 7 February 2003, establishing a mercury programme to facilitate and conduct technical assistance and capacity-building activities to support the efforts of countries to take action regarding mercury pollution,

Also recalling paragraph 22 (g) of the Plan of Implementation of the World Summit on Sustainable Development¹, in which it was agreed that the risks posed by heavy metals that are harmful to human health and the environment should be reduced and that, to this end, a review should be made of relevant studies, such as the United Nations Environment Programme global assessment of mercury and its compounds,

Taking note of the progress made by Governments in addressing the global adverse impacts of mercury and mercury compounds since the last regular session of the Governing Council,

Still concerned by the deleterious impacts on human health and the environment attributed to mercury and its capacity for global transport and cycling,

1. *Reiterates* its decision that national, regional and global actions, both immediate and long-term, should be initiated as soon as possible to protect human health and the environment through measures that will reduce or eliminate releases of mercury and its compounds to the environment;

2. *Continues to urge* all countries to adopt goals and take national actions, as appropriate, with the objective of identifying exposed populations and ecosystems and reducing anthropogenic mercury releases that have an impact on human health and the environment;

3. *Requests* the Executive Director further to develop the mercury programme, established through decision 22/4 V, with the aim of facilitating and conducting technical assistance and capacity-building activities to support the efforts of countries to take action regarding mercury pollution, with the broad objectives and priority actions set out in the annex to decision 22/4 V;

4. *Expresses appreciation* to those countries that have made financial contributions to the mercury programme, and urges all countries to consider making voluntary contributions to support the efforts of the United Nations Environment Programme in the implementation of the present decision;

5. *Requests* the Executive Director to undertake assessments of other heavy metals of possible global concern and to seek funding for these assessments;

6. *Requests* the Executive Director to present a report on the progress of the implementation of the present decision to the Council at its twenty-fourth session.

II. Background

A. Strategic approach to international chemicals management: programme of work to implement Governing Council decision 22/4 IV

4. In its decision SS.VII/3 of February 2002, the Governing Council decided that there was a need to develop further a strategic approach to international chemicals management (SAICM) and endorsed the Bahia Declaration and Priorities for Action beyond 2000 of the Intergovernmental Forum on Chemical Safety (IFCS) as the foundation of that approach. The decision set out consultation requirements and an analytical process involving a review of current and planned chemical safety activities, identification of gaps and the proposing of priorities and projects. In September 2002, the development of SAICM was endorsed by the Johannesburg Summit on Sustainable Development. In February 2003, by decision 22/4 IV adopted at its twenty-second session, the Governing Council agreed to the concept of an open-ended consultative process involving representatives of all stakeholder groups, as envisaged in decision SS.VII/3, taking the form of preparatory meetings and the convening of an international conference.

5. Decision 22/4 IV also called upon the Executive Director to strive to ensure that the process of further developing the strategic approach remained open, transparent and inclusive, giving all stakeholders an opportunity to participate in the substantive work. The following paragraphs report, as requested in decision 22/4 IV, on progress in the development of SAICM and the outcomes of the preparatory meetings.

6. After initial planning work by an inter-organization steering committee³ and an open-ended information meeting held in Geneva in April 2003, the first session of the Preparatory Committee for the Development of a Strategic Approach to International Chemicals Management was held in Bangkok, Thailand, from 9 to 13 November 2003. The session was attended by 428 participants from 127 Governments, 19 intergovernmental organizations and approximately 50 non-governmental organizations representing a wide range of sectors including agriculture, environment, foreign affairs, health, industry, labour and science. Under the presidency of Mr. Halldor Thorgeirsson of Iceland, the Preparatory Committee considered and further developed draft SAICM elements proposed by stakeholders and compiled by the secretariat. It adopted as the overall goal for SAICM the target set

³ The current members of the steering committee are the seven participating organizations of the Inter-Organization Programme for the Sound Management of Chemicals (IOMC) and the Global Environment Facility (GEF), IFCS, the United Nations Development Programme (UNDP), and the World Bank. IOMC comprises the International Labour Organization (ILO), the Organization for Economic Cooperation and Development (OECD), UNEP, the United Nations Food and Agriculture Organization (FAO), the United Nations Industrial Development Organization (UNIDO), the United Nations Institute for Training and Research (UNITAR) and the World Health Organization (WHO).

down in the Plan of Implementation of the World Summit on Sustainable Development that, by 2020, chemicals should be used and produced in ways that lead to the minimization of significant adverse effects on human health and the environment. Also adopted, ad referendum, were rules of procedure designed to maximize participation by all stakeholders in the development of SAICM.

7. For the purposes of structuring its debate on SAICM, the Preparatory Committee agreed to a proposal by the President to address ten subject headings: first, a statement of political strategic vision; second, a statement of needs; third, goals and objectives; fourth, principles and approaches; fifth, scope; sixth, scientific activities in support of decision-making; seventh, concrete measures; eighth, coordination; ninth, capacity, resources and development; and, tenth, implementation and taking stock of progress. In preparation for further consideration at the next session, the Preparatory Committee requested the secretariat to organize and compile the concrete and strategic elements that had been identified. In response to calls for intersessional regional consultations, the African group met to discuss SAICM in Abuja, Nigeria, from 24 to 26 May 2004 and the Latin American and Caribbean group met on 2 and 3 May 2004 in Nairobi, Kenya. The intersessional regional consultations contributed to the success of the second session of the Preparatory Committee for the Development of a Strategic Approach to International Chemicals Management.

8. The second session of the Preparatory Committee was held in Nairobi from 4 to 8 October 2004 and attended by approximately 400 participants from 116 Governments and a range of non-governmental and intergovernmental organizations, with participants again coming from many different sectors. The Committee elected Ms. Viveka Bohn of Sweden as its new president and agreed on a tripartite structure for SAICM, comprising a high-level declaration, overarching policy statement and a global plan of action. Good progress was made in developing outlines and initial text for all three components. The Committee mandated the President and secretariat to continue work intersessionally, taking account of debate at the Nairobi meeting and of future submissions and regional consultations. The latter are expected to take place during February and March 2005.

9. It is anticipated that there will be one further session of the Preparatory Committee, around September 2005, followed by the final international conference on chemicals management in early 2006. The two other co-convenors of SAICM, IOMC and IFCS, have agreed in principle to the Governing Council's proposal that the final conference should be held in conjunction with the ninth special session of the Governing Council/Global Ministerial Environment Forum, with a view to the latter body serving as a high-level segment of the conference that would consider adopting the completed strategic approach document on behalf of UNEP and inviting the governing bodies of other relevant organizations also to endorse it.

10. As of October 2004, funding and in-kind contributions to support the development of SAICM had been provided by the Governments of Canada, Denmark, Finland, Germany, Norway, Sweden, Switzerland and the United Kingdom of Great Britain and Northern Ireland and by IFCS, UNDP and UNIDO. These extrabudgetary contributions have totalled approximately \$2 million, not counting travel paid for certain participants in the first session of the Preparatory Committee by IFCS in connection with its own "Forum IV" meeting held the previous week at the same location. In addition, UNEP has provided from core resources approximately \$1 million towards secretariat and meeting costs over three years, including a \$250,000 loan from the Environment Fund reserve. Remaining costs for the development of SAICM are expected to be around \$3 million, including the third session of the Preparatory Committee, the final conference, intersessional regional consultations and secretariat costs.

11. It remains to be decided by the Preparatory Committee how the agreed strategic approach would be implemented, but the Governing Council may wish to consider making some preliminary provision for UNEP to play its part, from 2006, in assisting developing countries and countries with economies in transition to meet SAICM targets for the improved management of chemicals.

B. Mercury programme: programme of work to implement Governing Council decision 22/4 V

12. In May 2003, UNEP circulated to Governments, intergovernmental and non-governmental organizations a work plan and timetable in response to the Governing Council decision. It also invited them to support, both financially and technically, implementation of the goals of the decision.

13. The long-term objective of the mercury programme is to facilitate national, regional and global actions to reduce or eliminate as far as possible anthropogenic uses and releases of mercury and mercury compounds, thereby significantly reducing the global adverse impacts on health and the environment from these compounds. The immediate objective has been to encourage all countries to

adopt goals and take national actions, as appropriate, with the objective of identifying at -risk populations and ecosystems, and reducing anthropogenic mercury releases that have an impact on human health and the environment.

14. Cooperation with other international organizations that deal with mercury-related issues was sought through the existing IOMC cooperation framework, and IFCS was kept informed of the mercury programme activities. Partnerships with non-governmental organizations and the private sector were also sought to ensure broad support for the objectives of the project and the activities undertaken.

1. Capacity-building and technical assistance activities

15. Regional awareness -raising workshops on the global problem of mercury pollution have been and will be held as follows:

- (a) For 24 Asian countries, in Bangkok, Thailand, from 26 to 29 April 2004;
- (b) For 25 English-speaking countries in Africa, in Pretoria, South Africa, from 1 to 4 June 2004;
- (c) For 12 countries of the Commonwealth of Independent States, in Kiev, Ukraine, from 20 to 23 July 2004;
- (d) For 19 Spanish-speaking countries of Latin America, in Buenos Aires, Argentina, from 13 to 16 September 2004;
- (e) For 18 Arabic-speaking countries, in West Asia and Africa in Beirut, Lebanon, from 11 to 14 October 2004;
- (f) For 23 French-speaking countries, in Africa, Dakar, Senegal, from 22 to 25 November 2004; and
- (g) For 14 English-speaking countries, in Central America and the Caribbean, in Port of Spain, Trinidad and Tobago, from 17 to 20 January 2005.

16. The workshops aimed to raise awareness of the global, regional and local nature of mercury pollution problems and assisting countries of the region to identify and prioritize mercury issues within their borders and within their region. The workshops also raised awareness of the potential options for reducing exposures, uses and releases of mercury. Countries were encouraged to undertake actions, both immediate and long-term, at national, regional and global levels to protect human health and the environment from mercury releases, in line with Governing Council decision 22/4 V, and to exchange information on problems and solutions, with a view to facilitating immediate action and early risk reduction. Finally, the workshops endeavoured to prepare countries for the future discussions of further measures for addressing the significant global adverse impacts of mercury, to take place at the twenty-third session of the Governing Council.

17. The proceedings of the individual workshops are available upon request and can be retrieved from the UNEP mercury programme web page at <http://www.chem.unep.ch/mercury/workshops.htm>.

18. A number of risk communication materials, guidance materials, tool kits and training materials have been gathered or are under development, covering topics such as developing an inventory of mercury uses and releases; identifying and evaluating populations at risk; risk communication and outreach to populations at risk; increasing awareness and promotion of mercury-free products, technologies and processes, or responsible use of mercury; and potential pollution prevention measures, control technologies and strategies for reducing mercury uses and releases.

19. Technical expertise and knowledge on relevant issues was solicited from Governments, international organizations and other partners, for example as resource persons participating in the regional awareness raising activities, in such areas as the development and review of the guidance materials developed.

2. Funding for the programme

20. As at the end of 2003, financial pledges and contributions to the trust fund had been received from the Governments of Burkina Faso, Canada, Denmark, Finland, France, Malta, Norway, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland and the United States of America, to a total of approximately \$1,597,000. In 2004, new pledges and contributions have been received from Canada, Finland, Sweden and the United States of America, amounting to approximately \$698,000. The Government of the United States of America provided an extra financial contribution in order to enable UNEP to hire an additional staff member from September 2002 to September 2004, to support the mercury programme. In-kind contributions from UNEP provided one more staff-member for the programme. An additional programme post is under establishment.

21. The planned programme for 2003–2004 will nearly exhaust the funds available in the mercury trust fund. Implementation of further activities in the 2005–2006 biennium will require extrabudgetary resources. Firm commitments from Governments, both political and financial, are indispensable.

3. Technical and financial assistance activities

22. One priority of the project was to work with partners to mobilize technical and financial resources to support national, regional and global efforts to deal with mercury pollution. The success scored by UNEP in encouraging countries to make voluntary contributions to support the project is indicated in the section on funding above. Other funding, such as from the Global Environment Facility (GEF), was also explored; as yet, however, no projects have been approved by GEF.

4. Further programme activities

23. Governments have expressed clear support for the continuation and strengthening of the mercury programme activities (see subsection 5 (b) below). In addition to the broad objectives and priority actions outlined in the annex to decision 22/4 V, the next phase of the programme might focus on supporting the implementation of appropriate pilot projects in various regions to serve as examples and provide practical guidance to other countries. Possible pilot projects might cover such areas as the development of national inventories of uses and releases of mercury, reduction of uses and emissions, monitoring of levels of mercury in various media to assess mercury contamination, implementing exposure assessments to identify specific populations at risk; developing national actions plans; and mounting communication and outreach efforts to reduce exposures for at-risk populations.

5. Submissions on progress in implementing decision 22/4 V, further measures to address significant global adverse impacts of mercury and further action on other heavy metals

24. In paragraphs 9 and 10 of decision 22/4 V, the Governing Council requested the Executive Director to report on progress in the implementation of the decision and to invite submissions from Governments on their views with regard to further measures for addressing the significant global adverse impacts of mercury and its compounds and submissions from Governments, intergovernmental organizations and other stakeholders on what further action might be taken with regard to other heavy metals, for example, lead and cadmium.

25. Through a letter of 23 February 2004, UNEP invited all Governments and other relevant organizations to submit views by 1 July 2004, requesting them, in particular:

(a) To report on progress made in the implementation of decision 22/4 V, especially with regard to any goals or national actions taken since the last Governing Council session, with the objective of identifying exposed populations and ecosystems and reducing anthropogenic mercury releases that have an impact on human health and the environment;

(b) To provide any views with regard to the need for further measures to address the significant global adverse impacts of mercury and its compounds, including, for example, views on the possibility of developing a legally binding instrument, a non-legally binding instrument or other measures or actions; and

(c) To provide any views on what further action might be taken with regard to other heavy metals, for example, lead and cadmium.

26. As of 1 October 2004, submissions had been received from 25 Governments and regional economic integration organizations.⁴ In addition, five intergovernmental organizations⁵ and 13 non-governmental organizations⁶ responded to the letter from UNEP.

27. In decision 22/4 V, the Governing Council requested the Executive Director to present the submissions, a factual analysis of such submissions and a synthesis of views and options submitted for consideration by the Governing Council at its twenty-third session, in the light of progress in the further development of SAICM. It also decided to consider, on the basis of a report by the Executive Director and submissions by Governments, intergovernmental organizations and other stakeholders, what further action might be taken with regard to other heavy metals, for example, lead and cadmium. The factual analysis of the views and options submitted is provided in document UNEP/GC.23/INF/19. The full text of each submission can be retrieved from the UNEP mercury programme web page at <http://www.chem.unep.ch/mercury/Preparations-GC23-2005.htm>. A brief synthesis of the views and options expressed in the individual submissions is provided below, structured according to the points described in the section above.

28. It should be noted that only a limited number of Governments responded to the invitation from the Executive Director. Additional information, especially relating to progress made in taking national actions to address mercury pollution and the challenges facing developing countries and countries with economies in transition in achieving such progress, has been collected through the regional awareness raising workshops organized by the UNEP mercury programme, and the sections below are supplemented with this information.

(a) Progress made in the implementation of decision 22/4 V, especially with regard to any goals or national actions taken

29. It is difficult to draw specific conclusions on progress made since the last Governing Council session in February 2003, owing to the limited number of Government submissions. Some general observations may be made, however:

(a) Some progress has been made in setting national goals and implementing national actions, such as the enactment of new legislation, general bans on mercury use or bans on specific mercury uses, harmonization with existing legislation, establishment of inter-ministerial committees, development of pilot projects dealing with mercury management, decommissioning of industrial plants, etc.;

(b) Reviews of health effects and monitoring programmes have been established in some countries, with continuous coordination among government agencies on research, monitoring and industry compliance on matters relating to mercury pollution;

(c) Through the enlargement of the European Union, the new accession countries have harmonized their legislation with the existing legislation of the European Communities pertaining to mercury-based products and processes, and are working to comply with all obligations applying to this area;

(d) Since the publication of the Global Mercury Assessment, the Joint FAO/WHO Expert Committee on Food Additives, during its sixty-first meeting in Rome, from 10 to 19 June 2003, has recommended a more stringent mercury standard for the provisional tolerable weekly intake of methyl mercury, effectively recommending that the standard be reduced by half that of the earlier standard. Several countries also reported revisions in or the establishment of new actions for the further limiting

⁴ Australia, Benin, Botswana, Burundi, Canada, Côte d'Ivoire, Czech Republic, Denmark, European Union, Guinea, Jordan, Hungary, Madagascar, Mauritius, Monaco, Norway, Philippines, Republic of Moldova, Slovakia, Sweden, Switzerland, Syrian Arab Republic, Thailand, Turkey and United States of America.

⁵ Arab Fund for Economic and Social Development, International Council for the Exploration of the Sea, United Nations Economic Commission for Africa, United Nations Economic and Social Commission for Western Asia and World Trade Organization (WTO).

⁶ Uppsala University in Sweden, National Wildlife Federation, Sierra Legal Defence Fund and Lake Wabamun Enhancement and Protection Association, the World Chlorine Council and a coalition of environmental organizations consisting of the following organizations: Natural Resources Defense Council, Mercury Policy Project, Greenpeace, Basel Action Network, Arnika Association, European Environmental Bureau, Associação de Combate aos POPs, Toxics Link and Ban Hg Working Group.

of exposure, especially for vulnerable populations, to mercury through the diet, through the issuance of fish consumption advisories, on both marine fish species and freshwater fish species;

(e) Several countries have reported new actions relating to the use of mercury in dental amalgams, including reducing exposure through the use of alternative filling materials, especially in vulnerable groups such as children, pregnant women and women of child-bearing age and through the instalment of traps or separators to capture and recycle mercury from waste water in order to avoid its release into the environment;

(f) Emission standards for various industrial facilities have been established and in some cases programmes for emission reduction from mobile sources have been elaborated or approved;

(g) Some countries have developed guidance materials and have also presented reports or carried out information and awareness-raising events dealing with sources, pathways, adverse impacts on human health and the environment and action in relation to the mercury problem in their countries;

(h) Several Governments reported on bilateral or multilateral technical assistance activities that had been organized to promote assessment and sector-specific improvements in certain countries;

(i) One international industry association reported that it had held workshops in several developing countries to raise awareness and exchange information on best available techniques and best practices with regard to the use of mercury cells in the chlor-alkali industry;

(j) Public interest organizations reported on a number of specific studies with regard to mercury pollution and expressed some criticism for failure to take feasible and timely steps to control and reduce mercury emissions. A coalition of environmental organizations pointed to a number of new reports and articles published since the Global Mercury Assessment that in their view provide greater insight into worldwide mercury flows and the key demand sectors. The conclusion from these reports is that mercury uses and practices considered illegal or outmoded in the developed world are continuing or growing in the developing world, leading to exports of excess mercury supplies from the European Union and the United States of America to Asia, Africa and Latin America and a shift in the mercury burden to the developing world;

(k) Finally, there was ample recognition of the usefulness of the UNEP mercury programme that was established to implement decision 22/4 V.

30. Some conclusions can be drawn from the regional awareness-raising workshops, although the situation varies substantially among countries and regions, especially as regards the situation in developing countries and countries with economies in transition:

(a) Many countries do not have detailed knowledge of existing uses, sources, and quantities of release of mercury in their countries, and very few Governments have made detailed use and release inventories;

(b) Very few developing countries have comprehensive data on the levels of mercury in various media, such as air, water, soil, etc. Although some studies have been carried out in the various regions, they are not considered comprehensive enough to be used as a basis for drawing conclusions for the whole region. Some countries have implemented pilot projects that looked into levels of mercury in different media at national and regional levels; most, however, considered that they still need further work. Many countries have done some limited monitoring of mercury levels, but measurements lack any systematic basis, which would allow more in-depth studies in order to be able to prioritize measures and actions needed to address problems associated with mercury pollution;

(c) A number of countries have substantial local mercury pollution problems from abandoned industrial sites and illegal dumping and trading;

(d) Artisanal gold mining using mercury amalgamation seems to be on the increase in a number of countries, not only on the African continent, but also in Asia and Latin America, with substantial releases of mercury pollution to the local, regional and global environment and seriously negative health impacts not only on workers involved in such activities and their families, but also on neighbouring populations;

(e) There is a great lack of facilities, especially in developing countries and countries with economies in transition, for the proper recycling and disposal of mercury in an environmentally safe manner;

(f) Although international information on reference doses and consumption advisories related to mercury exposure for humans are extensive, some countries considered that their application to their conditions may be difficult and would pose many challenges due to the lack of technical and financial resources .

(b) Views on the need for further measures to address the significant global adverse impacts of mercury and its compounds

31. Again, given the limited number of Governments that responded to the invitation from the Executive Director, it is difficult to formulate any consolidated views with regard to the measures needed to reduce impacts on health and the environment. Some common elements of the views may be identified, however:

(a) There was wide support for a commitment to establishing inventories concerning the use of mercury, releases and contaminated sites, and awareness-raising and information dissemination programmes. Many Governments, intergovernmental organizations and non-governmental organizations noted that there could be practical difficulties since, in most developing countries, inventories had not been carried out and the technical and financial capacity to define a base level was lacking. Developed countries also had some difficulties in obtaining precise inventory data;

(b) Although broad support for global action on mercury was expressed by most Governments, there were contrasting views with regard to the need for legally binding measures and the use of existing multilateral environmental agreements to tackle the significant global adverse impacts of mercury and its compounds;

(c) Some Governments believe that the best way forward in dealing with global mercury pollution is to develop a legally binding instrument to address all aspects of the mercury problem (and eventually also other heavy metals (see subsection (c) below). The instrument should aim at limiting mercury releases as far as possible at all levels, nationally, regionally and globally. It was pointed out by one Government that, with an international agreement or protocol, developing countries will be given equal technical assistance, capacity-building and training activities will be extended and awareness of matters related to mercury will be raised;

(d) Other Governments expressed a preference, at the moment, for voluntary or action-plan approaches over binding approaches with the emphasis on immediate actions that achieve results in the short term. In their view, the most efficient and effective way of consolidating and accelerating action on mercury is to allocate available resources to national and regional action, supported and coordinated through the UNEP mercury programme, making use of the existing multilateral environmental agreements provisions to support and reinforce the programme. It was suggested by one Government that the potential costs of negotiating a binding agreement might be assessed and these resources redirected towards the mercury programme activities, in order to obtain real advances in dealing with the global adverse impacts of mercury;

(e) There was wide recognition of the fact that successful implementation of future actions on mercury, be they voluntary or legally binding, would require the provision of technical and financial assistance to countries needing it. A number of countries advocate the continuation and intensification of national and regional activities through the UNEP mercury programme and would like to continue to be assisted during the further development of the programme;

(f) A coalition consisting of nine environmental organizations submitted detailed recommendations in the form of what they term a "blueprint" of steps that should be taken to aggressively address global mercury contamination in the future. The coalition also describes in detail proposals for worldwide deadlines for the different elements. It recommends a binding international treaty as the best mechanism to implement this blueprint for action, but above all calls upon UNEP and its member countries to take action to implement this blueprint in a timely manner, with the inclusion of fixed interim goals. The blueprint takes into account many factors that may not apply to individual countries or regions, in particular developed countries, and supports earlier action by countries or regions with legislation existing or pending that requires such earlier action, and in countries or regions capable of taking earlier action.

32. During the regional awareness-raising workshops, Governments also identified the challenges facing them in executing the Governing Council's call for all Governments to adopt goals and take national actions to protect human health and the environment from mercury pollution through measures that will reduce or eliminate releases of mercury and its compounds to the environment. The situation varies substantially among countries and regions. Views expressed include:

(a) Many countries expressed the need to generate data for a better assessment of potential mercury exposures and impacts in their populations and plant and wildlife, including levels in biological media such as blood and hair and environmental media such as water, air, soil, fish, vegetables, etc. They note, however, that laboratory facilities, technical capacity and resources to perform such testing are lacking in most developing countries. The development and strengthening of research capacity at national, subregional and regional levels was identified as an important challenge for the international community, if it aims to reduce uses, releases and exposure of mercury to the environment;

(b) Development of a country inventory describing the present situation with regard to production, import, export, stocks, environmental releases, use and disposal of mercury containing products and processes is considered essential in order to establish a baseline for further action;

(c) Development of an action plan that provides a comprehensive strategy for addressing the identified uses and releases of mercury-containing products and processes would be an important next step. This plan could be based on the information in the country inventory and could serve as a priority-setting tool for initiating future activities. It should cover elements such as information exchange, political will, regional coordinating intergovernmental mechanisms, synchronized action plans, capacity-building and awareness-raising, development or upgrading of infrastructure, etc.;

(d) Although most countries have some legislation on mercury, national and regional legislation specific to mercury and targeted at addressing and monitoring import and export, production, use and illegal trade must be developed;

(e) Development and strengthening of enforcement capacities to ensure compliance with regulatory controls is also essential, as well as periodic review of the legislation;

(f) Implementation of technology transfer activities targeted at key sectors with the goal of introducing technologies that would assist countries in reducing releases from mercury-containing products and processes is a prerequisite for phasing out outdated mercury based technologies;

(g) Establishment of or further development of proper and environmentally safe recycling and disposal facilities for mercury at national or regional level are considered essential, if efforts to reduce or eliminate the release of mercury into the environment are to be successful;

(h) Development of an outreach and information programme to educate the public and industry about the potential risks arising from the presence of mercury in their environment and the national, regional and international responses to these risks is essential to ensure broad public support and successful implementation of the planned actions;

(i) Many countries considered that UNEP could continue to provide leadership, help to establish priorities, propose alternatives to mercury-related problems and elaborate awareness-raising materials useful for general public dissemination;

(j) Participants at the workshops also emphasized that opportunities for sharing country experience and regional partnership or joint efforts could serve to complement national actions. The workshops created new opportunities for regional networks and have also strengthened existing regional cooperation. Countries have expressed deep interest in working closer and exchanging information. The workshops have offered countries of a given subregion a forum to meet and discuss common issues on mercury;

(k) The provision of financial and technical assistance and capacity building for developing countries and countries with economies in transition is considered a vital issue that must be addressed, if these Governments are to succeed in the near future in their efforts to reduce the global adverse impacts of mercury on health and the environment.

(c) **Views on what further action might be taken with regard to other heavy metals, for example, lead and cadmium**

33. Some common elements of the views expressed and information received from Governments, intergovernmental organizations and non-governmental organizations are outlined below:

(a) A number of Governments emphasized the importance of and their support for work currently under way to facilitate the transition to unleaded gasoline in all regions of the world;

(b) Several Governments proposed that lead and cadmium should be the subject of international assessments similar to that carried out earlier for mercury;

(c) Although most Governments expressing views on the issue emphasized that the adverse impacts of lead and cadmium, especially on the health of children, is of great concern, contrasting views were expressed with regard to whether the adverse impacts of lead and cadmium pollution were of the same global nature as those associated with mercury. Some Governments stated the view that regional and national approaches rather than international action offered a more appropriate response, as these chemicals are not subject to the same global transport as mercury. A number of other Governments called for specific global actions aimed at minimizing the adverse impacts on health and the environment from cadmium and lead;

(d) Some Governments expressed their support for a legally binding instrument for mercury that would ultimately also include actions to address the risks from other heavy metals, in particular lead and cadmium;

(e) Finally, attention was drawn by several Governments to the Nordic Council papers on lead and cadmium that were distributed at the twenty-second session of the UNEP Governing Council in 2003. The Swedish submission contains summaries of these reviews and the actual reviews can be retrieved from the Nordic Council website at http://www.norden.org/miljoe/uk/NMR_cadmium.pdf and http://www.norden.org/miljoe/uk/NMR_lead.pdf.

34. The issue of further action needed on other heavy metals was not discussed in the regional awareness-raising workshops on mercury pollution.

C. Lead

35. In its decision 22/4 III on lead, the Governing Council called upon Governments that have not yet done so to act urgently to eliminate the use of lead in gasoline and to act urgently on the commitment of the World Summit on Sustainable Development to phase out lead-based paint and lead in other sources of human exposure, to prevent exposure to lead, in particular children's exposure to lead, and to strengthen both the monitoring and surveillance and the treatment of lead poisoning. It also appealed to Governments, intergovernmental organizations, including UNEP, non-governmental organizations and civil society for active participation in assisting Governments, through information exchange, technical assistance, capacity-building and funding to developing countries and countries with economies in transition in their efforts to phase out lead in gasoline, lead-based paint and other sources of human exposure, to prevent exposure to lead and to strengthen efforts in both the monitoring and surveillance and the treatment of lead poisoning.

36. Implementation of activities to give effect to this decision has been constrained by lack of funding and staff resources. Where the phasing out of lead in gasoline is concerned, however, a global phase-out campaign was set in motion in September 2002 at the World Summit on Sustainable Development with the launching of the Partnership for Clean Fuels and Vehicles. The Partnership, with UNEP as its clearing-house, has prioritized the global phase-out of leaded gasoline, with a focus on sub-Saharan Africa. To date, the Partnership has been joined by 65 bodies, drawn from Governments, the private sector, non-governmental bodies and international organizations. Partners have provided funding to UNEP to support activities designed to phase out leaded gasoline.

37. In June 2001, African Governments and their partners, including UNEP, decided that all leaded gasoline should be phased out by the end of 2005. To further this decision, five subregional workshops were held; in Dakar, Senegal, in March 2002 for West Africa; in Cotonou, Benin, in April 2002 for Nigeria and neighbouring countries; in Nairobi, Kenya, in June 2002 for East Africa; in Cape Town, South Africa, in October 2003 for Southern Africa; and in Douala, Cameroon, in March 2004 for West and Central Africa. In addition, UNEP has been supporting activities at the national level, including 11 national workshops, six training sessions for petrol attendants, the formation of several country task teams, and the provision of support for public awareness campaigns. Presently, 20 sub-Saharan countries have action plans and other activities designed to further the phasing out of leaded gasoline.

38. A regional conference for sub-Saharan African countries was held at UNEP headquarters in May 2004 to review progress and propose additional measures to ensure that the region would be free of leaded petrol by the end of 2005. The conference included a technical session, held on 5 and 6 May, with participation from 28 countries, and a ministerial session, held on 7 May, with 31 ministers of environment and energy in attendance. The phase-out date of the end of 2005 was reconfirmed, and actions were proposed to ensure that all sub-Saharan countries would become unleaded by that time. The outcomes were submitted to the African Ministerial Conference on the Environment (AMCEN), where they were adopted.

39. As a result of UNEP taking the lead in the phase-out of leaded gasoline, working with such key partners as the World Bank, Governments and the private sector, sub-Saharan Africa is on track to achieve its target of making the region free of leaded petrol by the end of 2005. To date, 50 per cent of gasoline sold in sub-Saharan Africa is unleaded. Nine sub-Saharan African countries have completely phased out leaded gasoline, 12 have fixed phase-out dates by December 2005, 16 have introduced unleaded gasoline, and 20 have action plans to phase out leaded gasoline.

40. Lead phase-out issues have also been discussed in other forums, such as the workshop on clean fuels and vehicles for West Asia (Beirut, March 2004), and the meeting on clean fuels and vehicles for Central and Eastern Europe (Rome, March 2004). Future activities are planned in these regions, as well as in Asia and in Latin America and the Caribbean. UNEP is also coordinating four global working groups, two of which, on octane and valve seat recession, are concerned with issues relating to the phase-out of leaded gasoline. The report by the valve seat recession group has been completed. A web site, www.unep.org/pcfV, containing relevant information and describing current activities to phase out leaded gasoline, has also been developed.

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

41. The Rotterdam Convention entered into force on 24 February 2004. As of 4 November 2004 there were 77 Parties to the Convention. The first meeting of the Conference of the Parties was held in Geneva from 20 to 24 September and attended by more than 530 delegates from 135 Governments. The Conference adopted rules of procedure and financial rules; defined the prior informed consent (PIC) regions; and established the Chemical Review Committee. It also adopted decisions on cooperation with WTO and the World Customs Organization (WCO), and procedures for the settlement of disputes. It added 14 new chemicals to the Convention, representing an increase of more than 50 per cent in the number of chemicals covered. The Conference also decided to accept the offer from the Governments of Italy and Switzerland to host the Secretariat in Geneva and Rome. In adopting the budget for 2005 and the indicative budget for 2006, the Conference also invited the governing bodies of UNEP and FAO to continue their financial support for the operation of the Convention and its secretariat in 2005 and 2006. The full report of the Conference of the Parties is available on the Convention's web site: www.pic.int.

E. Stockholm Convention on Persistent Organic Pollutants

42. The Stockholm Convention on Persistent Organic Pollutants entered into force on 17 May 2004. As of 4 November 2004 there were 83 Parties. By its decision 19/13 C, the Governing Council provided the mandate for negotiating the Convention and determined that UNEP would provide the secretariat for the process. Subsequent Governing Council decisions 20/24, 21/4 and 22/4 determined the continued provision by UNEP of the secretariat for the negotiations and the interim operation of the Convention.

43. The first meeting of the Conference of the Parties of the Stockholm Convention is scheduled to be held from 2 to 6 May 2005 in Punta del Este, Uruguay. The meeting is expected to establish a persistent organic pollutant review committee that will evaluate and make recommendations on proposals to add chemicals to the Convention, agree on the permanent physical location of the secretariat (in Bonn, Geneva or Rome) and make a number of decision related to the administration of the Convention.

44. At its first meeting, the Conference of the Parties is expected to adopt guidelines on best available techniques and best environmental practices relevant to the provisions of the Convention that deal with unintentionally produced persistent organic pollutants, like dioxins and furans, that are contained in article 5 and Annex C. These guidelines were drafted by an expert group that held three sessions during the interim period, in Research Triangle Park, North Carolina, United States of America, from 10 to 14 March 2003; Villarrica, Chile, from 8 to 12 December 2003; and Tokyo, Japan, from 11 to 16 October 2004.

45. Governing Council decisions 19/13 C, 20/24, 21/4 and 22/4 also provide mandates for immediate actions to address persistent organic pollutants, including work on such areas as: reducing the reliance on DDT in disease vector control programs; PCB management and disposal; information exchange; alternatives to persistent organic pollutants in termite control and other uses; persistent organic pollutant inventory development; guidelines development; technical assistance; and related issues.