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**Governing Council  
of the United Nations  
Environment Programme**

**Twelfth special session of the Governing Council/  
Global Ministerial Environment Forum**

Nairobi, 20–22 February 2012  
Item 4 of the provisional agenda\*

**Emerging policy issues: environment and development**

**Enhancing cooperation and coordination within the chemicals  
and wastes cluster: progress report on the implementation of  
Governing Council decision 26/12**

**Report of the Executive Director**

*Summary*

The present report provides an update on progress in the implementation of decision 26/12, on enhancing cooperation and coordination within the chemicals and wastes cluster, pursuant to paragraph 6 of the decision.

\* UNEP/GCSS.XII/1.

## I. Suggested action by the Governing Council

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

*The Governing Council,*

*Mindful* of decision IX/10 of the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, decision RC-4/11 of the Conference of the Parties to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and decision SC-4/34 of the Conference of the Parties to the Stockholm Convention on Persistent Organic Pollutants,

*Mindful also* of decision BC.Ex-1/1 of the Conference of the Parties to the Basel Convention, decision RC.Ex-1/1 of the Conference of the Parties to the Rotterdam Convention and decision SC.Ex-1/1 of the Conference of the Parties to the Stockholm Convention,

*Recalling* its decision 26/12 of 24 February 2011, in which it underlined the need for an approach to the sound management of chemicals and wastes at all levels that responded in an effective, efficient, coherent and coordinated manner to new and emerging issues and challenges,

*Recalling also* that in that decision it requested the Executive Director to continue efforts to enhance cooperation and coordination regarding the chemicals and wastes agenda at the national, regional and global levels,

*Recalling further* that in that decision it requested the Executive Director to report on progress in those efforts at the 2011 meetings of the conferences of the parties to the Basel, Rotterdam and Stockholm conventions and to provide input to the Preparatory Committee for the United Nations Conference on Sustainable Development,

*Having considered* the progress report submitted by the Executive Director on the implementation of Governing Council decision 26/12,<sup>1</sup>

1. *Welcomes* the progress made and the activities carried out to date by the Executive Director in the implementation of decision 26/12;
2. *Also welcomes* the adoption of decisions BC-10/29, RC-5/12 and SC-5/27 by the conferences of the parties to the Basel, Rotterdam and Stockholm conventions, respectively, on enhancing cooperation and coordination among those conventions;
3. *Requests* the Executive Director to continue to facilitate an inclusive, country-driven consultative process on the challenges to and options for further enhancing cooperation and coordination in the chemicals and wastes cluster in the long term;
4. *Reiterates* its invitation to Governments and other stakeholders in a position to do so to contribute extrabudgetary resources for the conduct of the process;
5. *Requests* the Executive Director to submit to the Governing Council/Global Ministerial Environment Forum at its twenty-seventh session a final report on the outcome of the consultative process on the challenges to and options for further enhancing cooperation and coordination in the chemicals and wastes cluster in the long term and on the implementation of decision 26/12 and the present decision.

## II. Background

2. Concerns about the health and environmental effects of the production, use and release of chemicals featured in discussions among Heads of State at the United Nations Conference on Environment and Development in 1992. Agenda 21<sup>2</sup> was adopted at the Conference to address a wide range of issues in pursuit of sustainable development in the twenty-first century, including the environmentally sound management of chemicals and wastes (chapters 19–21).

<sup>1</sup> UNEP/GCSS.XII/11.

<sup>2</sup> *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3–14 June 1992* (United Nations publication, Sales No. E.93.1.8 and corrigenda), Vol. I: Resolutions adopted by the Conference, resolution 1, annex II.

3. Since 1992, global and regional programmes on hazardous chemicals have been initiated or strengthened to respond to the challenges identified in Agenda 21, and 24 global and regional treaties in the field of chemicals and wastes have been developed.
4. The Governing Council of the United Nations Environment Programme (UNEP), in the recommendations on international environmental governance set out in the appendix to decision SS.VII/1 of 15 February 2002, underscored, among other issues, that there was a need to enhance the synergies and linkages between multilateral environmental agreements with comparable areas of focus and collaboration among multilateral environmental agreement secretariats in specific areas where common issues arose, such as among the secretariats of chemicals and waste multilateral environmental agreements. At subsequent sessions, the Governing Council requested the Executive Director to take appropriate action in that regard.
5. In 2002, the World Summit on Sustainable Development was held in Johannesburg, South Africa, to address sustainable development issues and review progress over the previous 10 years in the implementation of Agenda 21. The participants adopted a plan of implementation<sup>3</sup> that, in its chapter III, on changing unsustainable patterns of consumption and production, set a goal that by 2020:
- 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 support developing countries in strengthening their capacity for the sound management of chemicals and hazardous waste by providing technical and financial assistance.
6. In further follow-up to Agenda 21 and as a direct effort to assist in attaining the above-mentioned goal, the Overarching Policy Strategy of the Strategic Approach to International Chemicals Management and the Dubai Declaration on International Chemicals Management were adopted by the International Conference on Chemicals Management at its first session, in February 2006. Since then, the Strategic Approach has become an important international platform for Governments and other stakeholders to enhance cooperation and coordination in the chemicals and wastes cluster.
7. Since the process to enhance cooperation and coordination among the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the Stockholm Convention on Persistent Organic Pollutants demonstrated its success with the convening of simultaneous extraordinary meetings of the conferences of the parties to those conventions in Bali, Indonesia, in February 2010, further progress has been made. At their respective meetings in 2011, the conferences of the parties adopted decisions on enhancing cooperation and coordination that further enhanced work in the field of joint activities, joint managerial functions, joint services, synchronization of budget cycles, joint audits and review arrangements.
8. As a consequence of the above efforts, policies for the sound management of chemicals and wastes have come to be recognized as essential components of overall public policy in countries at all stages of development, given the potential impacts of chemicals on human health, the environment, economic growth and development and, ultimately, global sustainable development. In addition, initial progress has been made at the international level towards greater enhancement and coordination within the chemicals and wastes cluster.
9. In the light of the many remaining challenges facing the international community to tackle in its pursuit of the 2020 goal of the World Summit on Sustainable Development, the Governing Council adopted decision 26/12 with a view to initiating discussions on the challenges to and options for further enhancing cooperation and coordination in the chemicals and wastes cluster in the long term.

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<sup>3</sup> *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E. 03. II. A. 1 and corrigendum), chap. I, resolution 2, annex.

### **III. Progress in the implementation of decision 26/12 to date**

#### **A. Request for comments and input**

10. In line with decision 26/12 and to ensure that relevant input was made available in a timely manner, on 4 April 2011 the UNEP secretariat sent a letter to the members of the Committee of Permanent Representatives inviting comments on the initial report on enhancing cooperation and coordination within the chemicals and wastes cluster (UNEP/GC.26/16), requesting that they be submitted by 10 June 2011. Responses were received from 10 Governments and the European Union.

11. The comments received ranged from specific comments on the report to broader strategic and policy considerations. A number underlined the importance of linking the implementation of decision 26/12 to the United Nations Conference on Sustainable Development, to be held in June 2012, and to initiatives pertinent to the consultations on enhancing cooperation and coordination within the chemicals and wastes cluster in the long term, in particular those related to the Strategic Approach, the Basel, Rotterdam and Stockholm conventions, the consultative process on financing options for chemicals and wastes, the intergovernmental negotiating committee to prepare a global legally binding instrument on mercury, and the processes for the UNEP Global Chemicals Outlook project and a study on the cost of inaction.

12. The UNEP secretariat analysed the comments with a view to presenting a discussion document that would set out, in a balanced manner, the key issues pertaining to the sound management of chemicals and wastes and options for further enhancing cooperation and coordination within the cluster. The document will also suggest possible processes for identifying and responding to emerging chemicals and waste issues of global concern in recognition of the view of some Governments that the existing arrangements for sound chemicals and waste management have developed in an ad hoc manner and in response to specific issues. Those Governments are of the opinion that such an approach has gaps and may be inadequate for dealing with new or emerging issues.

#### **B. Oral progress reports and side events**

13. In response to the request in decision 26/12 that the Executive Director work with the secretariats of the Basel, Rotterdam and Stockholm conventions and the Strategic Approach, in addition to other key stakeholders in the area of the sound management of chemicals and wastes at the global level, and continue efforts to enhance cooperation and coordination regarding the chemicals and wastes agenda at the national, regional and global levels, the UNEP secretariat provided oral progress reports on such efforts at the meetings of the conferences of the parties to the Basel, Rotterdam and Stockholm conventions in 2011. In addition, it held side events on the consultative process on financing options for chemicals and wastes and on the United Nations information portal on multilateral environmental agreements at two of those meetings.

14. The consultative process on financing options for chemicals and wastes was launched by the Executive Director at the fourth meeting of the Conference of the Parties to the Stockholm Convention, in May 2009, in recognition of the need for heightened efforts to increase the political priority accorded to the sound management of chemicals and wastes and for sustainable, adequate and accessible financing for the chemicals and wastes agenda. The process seeks to enhance cooperation and coordination in the chemicals and wastes cluster, in particular in the area of financing.

15. The outcome of the process<sup>4</sup> is an integrated approach to the financing of sound management of chemicals and wastes. The outcome document recognizes that the integrated approach is the most suitable way forward for financing the chemicals and wastes agenda at all levels, including current and future agreements pertaining to chemicals and wastes management and the Strategic Approach. The integrated approach is a strategic, synergistic and innovative proposal to improve financing, which seeks to make full use of mainstreaming and industry involvement and to build on the best practices of the Multilateral Fund for the Implementation of the Montreal Protocol and the Global Environment Facility. According to the outcome document, the integrated approach presents a mature understanding of the link between finance and compliance.

16. The United Nations information portal on multilateral environmental agreements ([www.informea.org](http://www.informea.org)) is a web portal presenting information from multilateral environmental agreements such as decisions and resolutions of the conferences of the parties to those agreements, news and events, details of parties and national focal points, national reports and implementation plans. Information is obtained directly from the agreements and can be searched using keywords or terms provided by the secretariats of the agreements.

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4 UNEP/GCSS.XII/INF/7.

17. The portal is the first project developed as part of a new multilateral environmental agreement information and knowledge management initiative supported by UNEP. The initiative currently includes 25 international instruments supported by 13 multilateral environmental agreement secretariats that are provided, or whose functions are performed, by three United Nations organizations, the United Nations Secretariat and the International Union for Conservation of Nature. It invites the participation of relevant observers holding information on multilateral environmental agreements.

### **C. Other efforts**

18. At the national and regional levels, the UNEP secretariat, including through its regional offices and cooperation with other stakeholders in the area of sound management of chemicals and wastes, continues to advocate and contribute to efforts to enhance national and regional cooperation and coordination.

19. In addition, through the environmental governance subprogramme of the UNEP programmes of work for 2010–2011 and 2012–2013, the UNEP secretariat continues to support the implementation of the multilateral environmental agreements related to chemicals and wastes, in particular the Basel, Rotterdam and Stockholm conventions, and the work of their secretariats through cooperative arrangements in areas such as promoting cooperation and coordination and providing legal services.

### **D. United Nations Conference on Sustainable Development**

20. As requested by the Governing Council in its decisions 26/3, 26/7 and 26/12, the UNEP secretariat provided information on enhancing cooperation and coordination in the chemicals and wastes cluster as part of its input for the compilation document that will serve as the basis for the outcome document of the United Nations Conference on Sustainable Development. In doing so, it suggested that the participants at the Conference should invite Governments to build upon the existing work on enhancing cooperation and coordination among the conventions related to chemicals and wastes in order to develop a strategy for the long-term sound management of chemicals and wastes and to support its implementation by countries in partnership with other related processes such as the Strategic Approach.

## **IV. Consultative process**

21. In its decision 26/12, the Governing Council requested the Executive Director to facilitate and support an inclusive, country-driven consultative process on the challenges to and options for further enhancing cooperation and coordination in the chemicals and wastes cluster in the long term.

22. In preparation for the first meeting in that consultative process, which is tentatively scheduled to take place after the twelfth special session of the Governing Council/Global Ministerial Environment Forum, the UNEP secretariat will hold informal consultations by teleconference and will approach possible co-chairs of the consultative process and seek further guidance, as appropriate, towards ensuring that the UNEP secretariat facilitates and supports an inclusive, country-driven process. In particular, the UNEP secretariat will seek further guidance from the co-chairs on background documents to be prepared for the first meeting; discuss the efforts required to ensure a country-driven process; discuss the format, venue and dates of the first meeting; consider outreach related to the process; and explore options for extrabudgetary resources for the conduct of the process.

23. Based on the outcome of the consultations with the co-chairs, the UNEP secretariat will take the necessary steps to organize the first meeting using available extrabudgetary resources.