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COMMITTEE OF EXPERTS ON THE TRANSPORT OF DANGEROUS GOODS AND ON THE GLOBALLY HARMONIZED SYSTEM OF CLASSIFICATION AND LABELLING OF CHEMICALS

Sub-Committee of Experts on the Globally Harmonized System of Classification and Labelling of Chemicals

Eighth session, 7-9 December 2004
Item 4 (b) of the provisional agenda

IMPLEMENTATION OF THE GHS

International cooperation

Contribution to the Strategic Approach to International Chemicals Management (SAICM)

Note by the secretariat

1. At the first session of SAICM (Bangkok, November 2003), the Preparatory Committee requested that an initial list of “concrete elements” and “strategic elements, headings and sub-headings”, which could be included in a possible plan of action, would be developed, and that this compilation would be submitted for comments at its second session (Nairobi, October 2004).
2. Although not able to attend to this second preparatory session of SAICM, the secretariat submitted comments prior to the session on behalf of both the Sub-Committee of Experts on the Transport of Dangerous Goods and the Sub-Committee of Experts on the Globally Harmonized System of Classification and Labelling of Chemicals. These comments are included in document SAICM/PREPCOM.2/3/Add.1, which is reproduced in the Annex to this document.

* This document is issued in English only due to lack of time for translation.

** SAICM/PREPCOM.2/1/Rev.1.

Distr.

SAICM/PREPCOM.2/3/Add.1

General

2004

20 September

English only*

**Preparatory Committee for the
Development of a Strategic Approach
to International Chemicals Management**

Second session

Nairobi, 4–8 October 2004

Item 2 (d) of the provisional agenda**

**Report by the secretariat on intersessional
work requested by the committee**

**Additional comments on the compilations of concrete
elements and strategic elements, headings and sub-headings
identified during the first session of the Committee**

Introduction

Further to the comments contained in document SAICM/PREPCOM.2/3, the annex to the present document contains additional comments received with regard to the compilations of concrete elements, strategic elements, headings and sub-headings and the matrix example presented in documents SAICM/PREPCOM.2/2 and SAICM/PREPCOM.2/2/Add.1 in response to the request of the Committee at its first session. The text of the annex has not been formally edited.

Annex

Comments received

The annex reproduces comments received from the following stakeholders:

Government of Nigeria

Secretariat of the UN ECOSOC Committee of Experts on the Transport of Dangerous Goods and the Globally Harmonized System of Classification and Labelling of Chemicals

(....)

Secretariat of the UN ECOSOC Committee of Experts on the Transport of Dangerous Goods and the Globally Harmonized System of Classification and Labelling of Chemicals

Current status of the GHS development

The Globally Harmonized System of Classification and Labelling of Chemicals (GHS) was adopted in 2002. The GHS includes harmonized criteria for classifying substances and mixtures according to their health, environmental and physical hazards. It also contains related hazard communication elements such as guidance for labelling, precautionary statements and material safety data sheets.

At the time of its adoption, the GHS covered 26 different kinds of hazards (i.e. classes), each of them sub-categorized according to different levels of danger (i.e. categories). The GHS is updated and completed as necessary every two years; the first update should be published in 2005. New classes of hazard and improved guidance elements will be included as appropriate.

The UN ECOSOC Sub-Committee of Experts on the Globally Harmonized System of Classification and Labelling of Chemicals acts as custodian of the GHS, makes it available for worldwide use and implementation, and promotes and monitors its implementation. The secretariat services of this ECOSOC subsidiary body are provided by the secretariat of the United Nations Economic Commission for Europe. All information regarding the GHS and related work of the Sub-Committee is available on the internet at <http://www.unece.org/trans/danger/publi/ghs/ghs.html>. By the fall of 2004, the GHS will be available in the six official languages of the UN.

GHS implementation proceeds through both a bottom-up and top-down approach as it is addressed to countries and to those international organizations that are dealing with transport safety, work safety, consumer protection and the protection of the environment. In this scope, having set the objective of 2008 for the System to be implemented, the World Summit on Sustainable Development Plan of Action and UN ECOSOC Resolution 2003/64 invited:

- All Governments to take the necessary steps to implement the GHS;
- All international organizations concerned to promote GHS implementation and to amend their respective international instruments to give effect to the GHS.

Comments for the SAICM on the compilation of strategic and concrete elements (SAICM/PREPCOM.2/2 and Add.1)

The UN ECOSOC Sub-Committee of Experts on the Globally Harmonized System of Classification and Labelling of Chemicals has expressed appreciation for the initiative of the Strategic Approach to International Chemicals Management (SAICM), in particular when it regards optimizing coordination and streamlining all efforts for a better management of chemicals and their associated risks. The Sub-Committee believes that this could be an efficient leverage to help harmonize related management tools and practices.

Documents SAICM/PREPCOM.2/2 and Add.1 reflect the role and importance of the GHS and of its implementation, and rightly captures the important concrete and strategic elements related to it.

However, in these texts, more attention could be paid to the important role that international instruments have to play in the implementation of the GHS, in particular to Conventions that are related to the management of chemicals and/or protection from their adverse impact. These instruments will be strong driving forces for GHS implementation once GHS classification and labelling elements will have been incorporated into their own provisions. Therefore, the role of the respective international organizations, which are managing such international instruments dealing with transport safety, work safety, consumer protection and the protection of the

environment, would deserve to be reflected as an important concrete and strategic element of the SAICM approach.

Amongst the international and regional Conventions and Agreements, which are in some way regulating the management of chemicals, and although the list below is not exhaustive, the following ones are concerned:

Workplace Safety

ILO Convention N°170, Recommendation N°177 and Code of Practice concerning safety in the use of chemicals at work;
ILO Convention N° 174 concerning Prevention of major industrial accidents;
UNECE Convention on Industrial Accidents;

Transport

UN Recommendations on the Transport of Dangerous Goods;
International Maritime Dangerous Goods Code (IMDG Code);
European Agreement on International Carriage of Dangerous Goods by Road (ADR);
European Agreement on International Carriage of Dangerous Goods by Inland Waterways (ADN) ;
Regulations concerning the International Carriage of Dangerous Goods by Rail (RID);
Technical instructions for the safe transport of dangerous goods by Air (ICAO);

Consumer protection

UNECE Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (PRTR Protocol);

Environmental protection

Stockholm Convention on Persistent Organic Pollutants;
Rotterdam Convention on the Prior Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade;
Montreal Protocol on Substances that Deplete the Ozone Layer (ODS);
Basel Convention on the Transboundary Movement of Hazardous Wastes and their Disposal.

Steps have already been taken to adjust the classification criteria and labelling provisions of some of these instruments to those of the GHS.

Amendment proposals for SAICM/PREPCOM.2/2 and SAICM/PREPCOM.2/2/Add1:

(a) In SAICM/PREPCOM.2/2, page 10 under Area B, GHS implementation, **add** a new bullet with the following text: “*All international organizations concerned should promote the implementation of the GHS and, where relevant, amend their respective legal international instruments addressing transport safety, work safety, consumer protection or the protection of the environment so as to give effect to the GHS through such instruments*”; Source UN ECOSOC Resolution 2003/64 (see below).

(b) In SAICM/PREPCOM.2/2/Add.1, page 6, under Area B, Harmonization of Classification and Labelling of Chemicals, in column 1, text of the first bullet, replace “will include” with “includes”; in the column Intergovernmental Actions, insert the following text :” *All international organizations concerned should promote the implementation of the GHS and, where relevant, should consider amending their respective legal international instruments addressing transport safety, work safety, consumer protection or the protection of the environment, as relevant, so as to give effect to the GHS*”. Source UN ECOSOC Resolution 2003/64.

SAICM/PREPCOM.2/3/Add.1

(c) Transport of chemicals

Since chemicals are moved domestically and internationally, safe and secure transport conditions are of paramount importance in a strategy for chemical management. The United Nations has developed and updated, for more than 50 years, recommendations to that effect and, through its transport specialized agencies and programmes, an integrated and consistent system of international Conventions based on these recommendations. In the context of SAICM, the secretariat of the ECOSOC Committee recommends that the following text should be reflected as appropriate in document SAICM/PREPCOM.2/2/Add1, possibly under area B, or E, or F.

"Whenever this has not yet been done, all Governments should develop national legislation intended to regulate domestic traffic of dangerous chemicals in accordance with the United Nations Recommendations on the Transport of Dangerous Goods, Model Regulations, and consider acceding to the international legal instruments of the United Nations system which are based on these recommendations and which are open to all UN Member States, i.e. the International Maritime Dangerous Goods Code; the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) and the ICAO Technical Instructions for the Safe Transport of Dangerous Goods by Air."

UN ECOSOC Resolution 2003/64

Work of the Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling of Chemicals

The Economic and Social Council,

Recalling its resolutions 1999/65 of 26 October 1999, 2001/34 of 26 July 2001 and 2001/44 of 20 December 2001,

Having considered the report of the Secretary-General on the work of the Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling of Chemicals¹ during the biennium 2001-2002,

A

Work of the Committee regarding the transport of dangerous goods

Recognizing the importance of the work of the Committee for the harmonization of codes and regulations relating to the transport of dangerous goods,

Bearing in mind the need to maintain safety standards at all times and to facilitate trade, as well as the importance of this to the various organizations responsible for modal regulations, while meeting the growing concern for the protection of life, property and the environment through the safe transport of dangerous goods, including their security in transport,

Noting the increasing volume of dangerous goods being introduced into worldwide commerce and the rapid expansion of technology and innovation,

1. *Expresses its appreciation* for the work of the Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling of Chemicals with respect to matters relating to the transport of dangerous goods, including their security in transport;

¹ E/2003/46.

2. *Requests* the Secretary-General:

- (a) To circulate the new and amended recommendations² on the transport of dangerous goods to the Governments of Member States, the specialized agencies, the International Atomic Energy Agency and other international organizations concerned;
- (b) To publish the thirteenth revised edition of the *Recommendations on the Transport of Dangerous Goods: Model Regulations*³ and the fourth revised edition of the *Recommendations on the Transport of Dangerous Goods: Manual of Tests and Criteria*⁴ in all the official languages of the United Nations, in the most cost-effective manner, not later than the end of 2003;
- (c) To make these publications available on the web site of the Economic Commission for Europe, which also provides secretariat services to the Committee, and to make them available also on CD-ROM;

3. *Invites* all Governments, the specialized agencies, the International Atomic Energy Agency and the other international organizations concerned to transmit to the secretariat of the Committee their views on the Committee's work, together with any comments that they may wish to make on the amended recommendations;

4. *Invites* all interested Governments, the regional commissions, the specialized agencies and the international organizations concerned, when developing or updating appropriate codes and regulations, to consider taking into account the recommendations of the Committee;

5. *Requests* the Secretary-General to submit a report on the status of the effective implementation of the *Model Regulations on the Transport of Dangerous Goods* by Member States and international organizations on a worldwide level;

B

Work of the Committee regarding the Globally Harmonized System of Classification and Labelling of Chemicals

Bearing in mind that, pursuant to paragraph 19.27 of Agenda 21,⁵ the Inter-Organization Programme for the Sound Management of Chemicals has cooperated for a decade with the International Labour Organization, the Organisation for Economic Cooperation and Development and the Subcommittee of Experts on the Transport of Dangerous Goods to develop a globally harmonized hazard classification and compatible labelling system for chemicals,

Bearing in mind also that the Subcommittee of Experts on the Globally Harmonized System of Classification and Labelling of Chemicals was created pursuant to resolution 1999/65 to make the Globally Harmonized System available worldwide, to keep it up-to-date and to promote and monitor its implementation,

Noting with satisfaction that the Committee could reach consensus on the Globally Harmonized System after consideration of a draft consolidated by the Inter-Organization Programme for the Sound Management of Chemicals on the basis of input from the

² ST/SG/AC.10/29/Add.1 and 2.

³ ST/SG/AC.10/1/Rev.13.

⁴ ST/SG/AC.10/11/Rev.4.

⁵ *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: *Resolutions adopted by the Conference*, resolution 1, annex II.

Subcommittee of Experts on the Transport of Dangerous Goods, the International Labour Organization and the Organisation for Economic Cooperation and Development,

Aware that the World Summit on Sustainable Development at its 2002 session in Johannesburg, in paragraph 23 (c) of its Plan of Implementation,⁶ encouraged countries to implement the Globally Harmonized System as soon as possible with a view to having the system fully operational by 2008,

Also aware that the General Assembly, by its resolution 57/253 of 20 December 2002, endorsed the Johannesburg Plan of Implementation and requested the Economic and Social Council to implement the provisions of the Plan relevant to its mandate and, in particular, to promote the implementation of Agenda 21 by strengthening system-wide coordination,

Further aware of and recognizing the significance of the United Nations Institute for Training and Research/International Labour Organization/Organisation for Economic Cooperation and Development Global Partnership for Capacity-Building to Implement the Globally Harmonized System for building capacities at all levels to achieve the 2008 target,

1. *Expresses its deep appreciation* to the Committee and other organizations concerned for their fruitful cooperation;
2. *Requests* the Secretary-General:
 - (a) To publish the Globally Harmonized System of Classification and Labelling of Chemicals in all the official languages of the United Nations, in the most cost-effective manner and to circulate it to the Governments of Member States, the specialized agencies and other international organizations concerned as soon as possible and no later than 2004;
 - (b) To consider disseminating the Globally Harmonized System as a CD-ROM;
 - (c) To make the Globally Harmonized System available on the web site of the secretariat of the Economic Commission for Europe, which also provides secretariat services to the Committee;
3. *Invites* all Governments to take the necessary steps, through appropriate national procedures and/or legislation, to implement the Globally Harmonized System, as soon as possible and no later than 2008;
4. *Reiterates* the call for support to developing countries in strengthening their capacity of the sound management of chemicals by providing technical and financial assistance;
5. *Invites* the regional commissions, United Nations programmes, the specialized agencies and other organizations concerned to promote the implementation of the Globally Harmonized System and, where relevant, to amend their respective legal international instruments addressing transport safety, work safety, consumer protection or the protection of the environment so as to give effect to the Globally Harmonized System through such instruments;
6. *Invites* Governments, the regional commissions, United Nations programmes, the specialized agencies and other organizations concerned to provide feedback to the Subcommittee of Experts on the Globally Harmonized System of Classification and Labelling of Chemicals;

⁶ *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.

7. *Requests* the Secretary-General to submit a report on the status of implementation of the Globally Harmonized System;

8. *Encourages* Governments, regional commissions, United Nations programmes, specialized agencies and other relevant international organizations and non-governmental organizations, in particular industry, to support implementation of the Globally Harmonized System and capacity-building activities in developing countries and countries in transition by providing financial contributions and/or technical assistance;

C

Programme of work of the Committee

Taking note of the programme of work of the Committee for the biennium 2003-2004 as contained in paragraphs 29 to 31 of the report of the Secretary-General,²⁰⁹

Noting the relatively poor representation of experts from developing countries and countries with economies in transition in the work of the Committee and the need to ensure their wider participation in its work,

1. *Decides* to approve the programme of work of the Committee;

2. *Stresses* the importance of the participation of experts from developing countries as well as countries with economies in transition in the work of the Committee, calls, in this regard, for voluntary contributions to facilitate their participation, including through support for travel and daily subsistence allowance, and invites Member States and international organizations in a position to do so to contribute;

3. *Notes* the recommendations of the Committee regarding staff resources⁷ and invites the General Assembly to consider this issue in the context of its review of the proposed programme budget for the biennium 2004-2005;

4. *Requests* the Secretary-General to submit a report to the Economic and Social Council in 2005 on the implementation of the present resolution.

49th plenary meeting
25 July 2003

Ms Catherine Masson
Transport Division
United Nations Economic Commission for Europe

3 September 2004

⁷ As contained in E/2003/46, para. 33; see also A/54/443/Add.1, para. 7.