

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

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DRAFT RESOLUTION 2009/... OF THE ECONOMIC AND SOCIAL COUNCIL

Note by the secretariat

Resolution

2009/....

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 and 2007/6 of 23 July 2007,

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 2007-2008,

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 and secure transport of dangerous goods,

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

Recalling that [while](#) the major international instruments governing the transport of dangerous goods by the various modes of transport and many

¹ E/2009/.... [to be completed]

national regulations are now better harmonized with the Model Regulations annexed to the Committee's recommendations on the transport of dangerous goods, ~~but that further work on harmonizing these instruments is necessary to enhance safety and to facilitate trade. Furthermore, the~~ uneven progress in the updating of national inland transport legislation in some countries of the world ~~continues to present serious challenges~~ ~~remains, inter alia, a reason for regulatory disharmony at the worldwide level and represents a serious legislative obstacle~~ to international multimodal transport,]

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;

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 sixteenth revised edition of the *Recommendations on the Transport of Dangerous Goods: Model Regulations*³ and the fifth 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, no later than the end of 2009;

(c) To make those publications available on the website of the Economic Commission for Europe,⁵ which 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 concerned international organizations 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 UN Recommendations on the Transport of Dangerous Goods;

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

[5. *Requests* the Committee to study, in consultation with the International Maritime Organization, the International Civil Aviation Organization, the regional commissions and the intergovernmental organizations concerned, the possibilities of improving the implementation of the Model Regulations on the Transport of Dangerous Goods in all countries for the purposes of ensuring a high level of safety and eliminating technical barriers to international trade, including through the further harmonization of international agreements or conventions governing the international transport of dangerous goods; ~~or a possible joint approach to~~

² ST/SG/AC.10/36/Add.1 and Add.1, /Add.2 and Add.3.

³ ST/SG/AC.10/1/Rev.16.

⁴ ST/SG/AC.10/11/Rev.5.

⁵ www.unece.org/trans/danger/danger.htm.

~~the development of an effective international instrument on multimodal international transport of dangerous goods, as appropriate;]~~

6. Invites all Governments, as well as regional commissions or organizations concerned, IMO and ICAO, to provide feedback to the Committee as regards variations in the provisions of national, regional or international legal instruments from those of the Model Regulations, in order to enable the Committee to develop cooperative guidelines for enhancing consistency between these requirements and reducing unnecessary impediments; identifying existing substantive international modal, regional, and national differences with the aim of reducing these differences to the greatest extent practical and ensuring that where differences are necessary that they do not pose impediments to the safe and efficient transport of dangerous goods; undertaking an editorial review of the Model Regulations and various modal instruments with the aim of improving clarity, user friendliness and the ability for the requirements to be easily translated.

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

Bearing in mind that in paragraph 23 (c) of the Plan of Implementation of the World Summit on Sustainable Development (Johannesburg Plan of Implementation)⁶ countries were encouraged to implement the Globally Harmonized System of Classification and Labelling of Chemicals as soon as possible with a view to having the system fully operational by 2008,

Bearing in mind also that the General Assembly, in 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,

Noting with satisfaction:

(a) That the United Nations Economic Commission for Europe as well as all United Nations programmes and specialized agencies concerned with chemical safety in the field of transport or of the environment, in particular, the United Nations Environment Programme, the International Maritime Organization and the International Civil Aviation Organization, have already taken appropriate steps to amend or are considering amending their legal instruments in order to give effect to the Globally Harmonized System of Classification and Labelling of Chemicals before the end of the 2008 target date or as soon as possible;

(b) That the International Labour Organization, the Food and Agriculture Organization and the World Health Organization are also taking appropriate steps to adapt their existing chemical safety recommendations, codes and guidelines to the Globally Harmonized System of Classification and Labelling of Chemicals, in particular in the areas of occupational health

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.

and safety, pesticide management and the prevention and treatment of poisoning;

(c) That the Globally Harmonized System of Classification and Labelling of Chemicals is already in force in New Zealand (since 2001) and Mauritius (since 2004)*;

[(d) That a new regulation* of the European Parliament and of the Council implementing the Globally Harmonized System of Classification and Labelling of Chemicals in the Member States of the European Union* and the European Economic Area* [is expected to be adopted before the end of 2008] [has recently been adopted]; The regulation will enter into force 20 days after its publication in the Official Journal of the European Communities];

(c) That Member States participating in the activities of the Subcommittee of Experts on the Globally Harmonized System of Classification and Labelling of Chemicals, are actively preparing revisions of national legislation applicable to chemicals for implementation of the Globally Harmonized System of Classification and Labelling of Chemicals;

(e) That several United Nations programmes, specialized agencies and regional organizations, in particular the United Nations Institute for Training and Research, the International Labour Organization, the World Health Organization, the Economic Commission for Europe, Asia-Pacific Economic Cooperation, Governments, the Organization for the Economic Cooperation and Development, the European Commission and non-governmental organizations representing the chemical industry, have organized or contributed to multiple workshops, seminars and other capacity-building activities at the international, regional, subregional and national levels in order to raise administration, health sector and industry awareness and to prepare for the implementation of the Globally Harmonized System of Classification and Labelling of Chemicals;

Aware that effective implementation will require further cooperation between the Subcommittee of Experts on the Globally Harmonized System of Classification and Labelling of Chemicals and the international bodies concerned, continued efforts by the Governments of the Member States, cooperation with the industry and other stakeholders, and significant support for capacity-building activities in countries with economies in transition and developing countries,

* Information on implementation of the Globally Harmonized System of Classification and Labelling of Chemicals by country and through international legal instruments, recommendations, codes and guidelines is available on the Economic Commission for Europe website at www.unece.org/trans/danger/publi/ghs/implementation_e.html.

* [COM(2007)355: Regulation of the European Parliament and of the Council on classification, labelling and packaging of substances and mixtures, and amending Directive 67/548/EEC and Regulation (EC) No 1907/2006]

* At present, the following 27 countries are members of the European Union: Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Netherlands and the United Kingdom. The candidate countries Croatia and Turkey already started to implement current EU legislation.

* Iceland, Liechtenstein and Norway ;

Recalling the particular significance of the United Nations Institute for Training and Research/International Labour Organization/Organization for Economic Cooperation and Development Global Partnership for Capacity-Building to implement the Globally Harmonized System of Classification and Labelling of Chemicals for building capacities at all levels,

1. *Commends* the Secretary-General for the publication of the second revised edition of the *Globally Harmonized System of Classification and Labelling of Chemicals (GHS)* in the six official languages of the United Nations, in book form⁷ and on CD-ROM,⁸ and its availability together with related information material on the website of the secretariat of the Economic Commission for Europe which provides secretariat services to the Committee;⁹

2. *Expresses its deep appreciation* to the Committee, United Nations programmes, specialized agencies and other organizations concerned for their fruitful cooperation and their commitment to the implementation of the Globally Harmonized System of Classification and Labelling of Chemicals;

3. *Requests* the Secretary-General:

(a) To circulate the amendments¹⁰ to the second revised edition of the *Globally Harmonized System of Classification and Labelling of Chemicals* to the Governments of Member States, the specialized agencies and other international organizations concerned;

(b) To publish the [third revised edition]¹¹ of 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 no later than the end of 2009 and to make it available on CD-ROM and on the website of the secretariat of the Economic Commission for Europe,⁵ which provides secretariat services to the Committee;

[(c) To continue to provide information on the implementation of the Globally Harmonized System of Classification and Labelling of Chemicals available on the website of the secretariat of the Economic Commission for Europe, which provides secretariat services to the Committee;¹²]

4. *Invites* Governments that have not yet done so to take the necessary steps, through appropriate national procedures and/or legislation, to implement the Globally Harmonized System of Classification and Labelling of Chemicals as soon as possible;

5. *Reiterates its invitation* to the regional commissions, United Nations programmes, the specialized agencies and other organizations concerned to promote the implementation of the Globally Harmonized

⁷ United Nations publication, Sales No. E.07.II.E.5 and corrigenda.

⁸ United Nations publication, Sales No. E/F/S.07.VIII.4.

⁹ <http://www.unece.org/trans/danger/danger.htm>

¹⁰ [ST/SG/AC.10/36/Add.3].

¹¹ [ST/SG/AC.10/30/Rev.3].

¹² Information on implementation of the Globally Harmonized System of Classification and Labelling of Chemicals by country and through international legal instruments, recommendations, codes and guidelines is available on the Economic Commission for Europe website at www.unece.org/trans/danger/publi/ghs/implementation_e.html.

System of Classification and Labelling of Chemicals and, where relevant, to amend their respective legal international instruments addressing transport safety, workplace safety, consumer protection or the protection of the environment so as to give effect to the Globally Harmonized System of Classification and Labelling of Chemicals 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 on the steps taken for the implementation of the Globally Harmonized System of Classification and Labelling of Chemicals in all the relevant sectors, through international, regional or national legal instruments, recommendations, codes and guidelines, including (when applicable) information about the transitional periods for its implementation;

7. *Encourages* Governments, the regional commissions, United Nations programmes, specialized agencies and other relevant international organizations and non-governmental organizations, in particular those representing industry, to strengthen their support of the implementation of the Globally Harmonized System of Classification and Labelling of Chemicals by providing financial contributions and/or technical assistance for capacity-building activities in developing countries and countries with economies in transition;

C. Programme of work of the Committee

Taking note of the programme of work of the Committee for the biennium 2009-2010 as contained in paragraphs [...] of the report of the Secretary-General,¹

Noting the relatively poor level of participation of experts from developing countries and countries with economies in transition in the work of the Committee and the need to promote 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 and from countries with economies in transition in the work of the Committee and, in that regard, calls for voluntary contributions to facilitate their participation, including through support for travel and daily subsistence, and invites Member States and international organizations in a position to do so to contribute;

3. *Requests* the Secretary-General to submit a report to the Economic and Social Council in 2011 on the implementation of the present resolution, the recommendations on the transport of dangerous goods and the Globally Harmonized System of Classification and Labelling of Chemicals.

¹ E/2009/.... [to be completed]