



FORUM V
Chemical Safety
for Sustainable Development
IFCS
Budapest, Hungary
25-29 September 2006

Plenary Information/Discussion Session on Tools and Approaches for Applying Precaution in the Context of Chemicals Safety

Information Request for Background Paper

Dear Colleague,

A Forum V Plenary Open Information/Discussion Session has been organized to advance open dialogue and understanding about how precaution is applied in practice with regards to chemical safety to protect health and environment and implementation of goals identified in IFCS declarations and recommendations and the SAICM Overarching Policy Strategy (OPS). A Forum V Thought Starter paper presents the rationale, objectives and organization of the session.¹

Through a series of practical case examples, the session will explore tools and approaches for applying precaution in chemical safety decision-making as well as commonalities and differences in these approaches. Following these presentations, guided discussion with delegates will occur, with the goal of identifying some key commonalities and differences in approaches and providing practical next steps for the future.

To ensure adequate thinking occurs in individual countries before the start of Forum V and thoughtful discussion at the Forum, an Information Background Document will be provided to delegates in advance of Forum V. This Background Document will summarize information collected on how governments and other organizations domestically apply precaution in chemicals management including:

- A collection of structured information requested from governments and organizations to provide examples of tools and frameworks for how they have applied precaution in the context of domestic chemicals safety efforts.
- Interviews with selected active members in IFCS to understand differences in how precaution is applied and some of the controversies in its application; how they are applying precaution in chemicals management including tools and approaches and the types of tools and processes that would support precautionary decision-making in the context of chemicals management.

¹ Thought Starter: Forum V Plenary Open Information/Discussion Session On Tools And Approaches For Applying Precaution In The Context Of Chemicals Safety, Prepared By: Forum Standing Committee (IFCS/FORUM-V/01-TS
http://www.who.int/ifcs/documents/forums/forum5/meet_docs/en/index.html)

Information Request

The purpose of this structured information collection process is to collect examples of tools, approaches and frameworks for applying precaution (or making decisions in the face of uncertainty) with regards to national chemical safety efforts. The goal is to understand similarities and differences in how precautionary decisions (or decisions in circumstances of uncertainty) are made across countries; what tools and approaches countries use to apply precaution in chemicals management; how policy, regulatory and scientific processes support precautionary decision-making in the context of chemicals management; the challenges and needs for applying precaution in the context of chemicals management; and varying perceptions with its application.

This information will be collected via the template questionnaire (Annex) which consists of specific and more open-ended questions. We ask that you fill in the template as thoroughly as possible. *Please provide any links or additional supporting materials that provide information on particular policies, tools, or activities.*

Process of soliciting information

The request for information submissions is being sent to the entire IFCS mailing list. Submissions are welcomed from everyone and government staff are encouraged to coordinate submissions through the IFCS National Focal Point (see IFCS website for list of designated NFP: <http://www.who.int/ifcs/focalpoints/en/>).

We ask that submissions be returned by **20 July 2006**. Please return completed form to:

IFCS Secretariat
Email: ifcs@who.int
Fax: +41 22 791 4875

If you have any questions, please do not hesitate to contact us.

Thank you for your willingness to participate in this important effort.

Sincerely,

Joel A. Tickner, ScD
Special Advisor, IFCS
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Judy A. Stober, PhD
Executive Secretary, IFCS
Email: ifcs@who.int

Annex

IFCS Forum V
Plenary Information/Discussion Session on Tools and Approaches for
Applying Precaution in the Context of Chemicals Safety
Information Request for Background Paper
Structured Questionnaire

Background Information

Country: **Republic of Armenia**

Ministry/Agency/Institute/Organization: **Ministry of Nature Protection**

Contact Person: **Ms. Anahit Aleksandryan**

Contact Details:

Mailing address:

Governmental Building 3, Republic Square, Yerevan 0010, Republic of Armenia

Email: **analeks@freenet.am**

For telephone and fax numbers, please indicate country and city codes:

Tel: **(3741 0) 53-88-38**

Fax: **(3741 0) 53-88-38**

Please submit completed questionnaire by 20 July 2006 to:

IFCS Secretariat
Email: ifcs@who.int
Fax: +41 22 791 4875

Please note: Unless you indicate otherwise in your response, these submissions will be posted on the IFCS website.

Please provide any links or additional supporting materials that provide additional information on particular policies, tools, or activities.

National chemicals policy or management:

1. How is the concept of precaution explicitly or implicitly (in terms of decision-making under conditions of uncertainty) incorporated in national chemicals policy or management in your country/organization?

Please check all that apply.

In the country constitution ?

In legislation?

In agency/ministry/organization policy?

In specific guidance documents for risk assessment or risk management?

Applied in specific cases but no particular policy?

Not applied at all?

Please provide greater detail (1 para).

Tools and approaches for applying precaution:

2. What are some of the key tools and approaches used by your country/organization in applying precaution (or making decisions in circumstances of uncertainty) in the context of chemicals safety?

The legislative-normative basis is key tool in applying precaution in context of chemicals safety in Armenia.

- a. Is there a defined approach to applying precaution or decision-making under uncertainty?

Yes No

If yes, can you outline the elements of that approach or provide references to it?

- Governmental Decision of the Republic of Armenia (No. 97 dated December 8, 1995) "On the order of regulating the import, export and transit transportation of hazardous and other wastes over the territory of the Republic of Armenia"
- "Lists of regulated and non-regulated wastes, hazardous properties thereof, documents on the procedure of applications, notices and disposal/ removal" approved by the Ministry of Nature Protection Order No. 96 of August 10, 1999; Agency act);
- Decision of the Government of the Republic of Armenia No.874-A «On approval of the "Republic of Armenia List of hazardous wastes" (dated May 20, 2004);
- Decision of the Government of the Republic of Armenia "On approval of the Republic of Armenia List of prohibited hazardous wastes" (No.1093-N; dated July 8, 2004);
- Protocol Decision of the Government of the Republic of Armenia "On approval of the National Profile on Chemicals and Waste Management" (No. 26 of July 8, 2004);
- Protocol Decision of the Government of the Republic of Armenia "On approval of the "List of actions implemented within the frames of the "National Implementation Plan for the Stockholm Convention on Persistent Organic Pollutants in the Republic of Armenia during 2005-2010" (No. 1 of January 13, 2005).
- Decision of the Government of the Republic of Armenia "On approval of the List of chemicals and pesticides regulated by Rotterdam Convention and banned in the Republic of Armenia" (No. 293-N of March 17, 2005);
- Decision of the Government of the Republic of Armenia "On the order of licensing for activity on processing, treatment, storage, transportation, and placement of hazardous wastes in the Republic of Armenia" (No.121-N of January 30, 2003);

- “List of chemical and biological plant protection measures allowed for use in the Republic of Armenia”(Order of the Minister of Agriculture of the Republic of Armenia: No 198 dated November 18, 2003)
- Decision of the Prime Minister of the Republic of Armenia “On measures ensuring realization of the Republic of Armenia “Law on Waste”;
- Protocol Decision of the Republic of Armenia Government «On approval of the Programme for development of a normative regulating document “Waste Classification according to Hazard”;
- Decision of the Government of the Republic of Armenia “On approval of the order to approve draft standards for waste generation and placement limits”;
- Decision of the Government of the Republic of Armenia “On approval of the order for waste passportisation”;
- Decision of the Government of the Republic of Armenia “On approval of the order for maintenance of the Registry on waste generation, processing and utilization entities”, etc.

b. Is precaution integrated in other decision-making processes, tools and approaches such as;

Please check all that apply.

- | | |
|---|-------------------------------------|
| <input type="checkbox"/> Data collection? | <input checked="" type="checkbox"/> |
| <input type="checkbox"/> Prioritization of substances for risk management actions | <input checked="" type="checkbox"/> |
| <input type="checkbox"/> Uncertainty characterization? | <input checked="" type="checkbox"/> |
| <input type="checkbox"/> Socio-economic analysis (e.g., social impact, proportionality/cost-benefit assessment, trade concern)? | <input type="checkbox"/> |
| <input type="checkbox"/> Risk assessment and risk management options? | <input checked="" type="checkbox"/> |
| <input type="checkbox"/> Screening, comparison of alternatives, informed substitution? | <input type="checkbox"/> |
| <input type="checkbox"/> Stakeholder and Public involvement? | <input type="checkbox"/> |
| <input type="checkbox"/> Other | <input type="checkbox"/> |

For those boxes checked, please briefly provide greater detail or links to additional information.

The above-mentioned approaches are identified as priority in a number of projects implemented by the Ministry of Nature Protection and aimed at integrated capacity building for chemicals and waste management in the Republic of Armenia:

- “Enabling Activities to Facilitate Early Action on the Implementation of the Stockholm Convention on Persistent Organic Pollutants (POPs) in the Republic of Armenia” Programme (2002-2004);
- “Strengthening the Integrated National Programme of Chemicals and Waste Environmentally Sound Management in the Republic of Armenia” (2004-2006);
- “Development and Implementation of the National Cleaner Production Programme in the Republic of Armenia” (2006-2007), as well as
- “Strengthening waste integrated management in Armenia” Project (2006)

c. How are gaps in knowledge addressed?

Please check all that apply.

- o Though conservative risk assessment assumptions
- o Through safety factors
- o Through modeling techniques
- o Through an assumption that lack of information is indication of potential harm
- o Through requesting additional research
- o Gaps are not addressed

For those boxes checked, please briefly provide greater detail or links to additional information.

Due to the lack of financial resources both monitoring on chemicals residues in environmental media, and studies on the unfavourable impact of chemicals and waste to environmental and human health, in particular, health of women and children, which are especially vulnerable for exposure to various environmental factors, are rather limited. Therefore, currently available data on impacts caused by chemicals, including pesticides, to human health are insufficient for evaluation and management of risks, as well as for decision-making on reduction and mitigation of existing risks.

3. Please provide details of a particular case (or example) where precaution was applied (or decisions made in the face of uncertainty) in the context of chemicals management?

a. What stimulated/initiated the precaution process/action?

Please check all that apply.

- o Government concern over hazards and/or exposures
- o Stakeholder concerns over the particular threat
- o International policy requirements/pressures
- o Negative impacts/experience(s) from not acting on a previous chemical risk
- o Other

For those boxes checked, please briefly provide greater detail or links to additional information.

The aforementioned list of Decisions of the Government of the Republic of Armenia (under the point 2) is aimed at stimulation of the precaution process in Armenia.

b. What process was used to make the decision? (please briefly describe the process or tools used to make the decision)

The relevant documents (legislative-normative) in the context of chemicals management are prepared by the Ministry of Nature Protection and submitted to the main stakeholders, such as Ministry of Health, Ministry of Agriculture, Ministry of Trade and Economic Development, etc. for comments and recommendations.

After receiving the comments and recommendations, as well as their discussion and

due amendment or revision the document is submitted to the Government of the Republic of Armenia for approval.

The approved Governmental Decision is ratified by the President in accordance with the official procedure.

c. Were there positive or negative impacts of this process/action?

Please check all that apply.

<u>Positive</u>		<u>Negative</u>	
Ecological or Health benefits	<input checked="" type="checkbox"/>	Ecological or health impacts	<input type="checkbox"/>
Economic benefit	<input checked="" type="checkbox"/>	Economic impacts	<input type="checkbox"/>
Improved government/industry image	<input checked="" type="checkbox"/>	Substitutes/alternatives did not work	<input type="checkbox"/>
Improved government/public morale	<input checked="" type="checkbox"/>	Negative public reaction	<input type="checkbox"/>
Improvements to scientific tools/decision processes	<input checked="" type="checkbox"/>	Other?	<input type="checkbox"/>
Other?	<input type="checkbox"/>		

For those boxes checked, please briefly provide greater detail or links to additional information.

The positive impacts of precaution process are the following :

- decrease of the damage to the health and environment;
- application of precautionary principle, which is aimed at prevention of harmful impact on health and environment, is economically more profitable than liquidation of damages to the environment and patients medical cure;
- existing legislative and normative basis promotes the formation of ecologically sound understanding/mentality of government authority, as well as behavior of businessmen and facilitates strengthening of stakeholders awareness raising in context of chemicals safety and precautionary principle at the national level;
- scientific research on cleaner production, low-waste and waste-free technologies improve the decision-making process.

d. Were there any unintended consequences from this process/action?

Positive – please describe

Negative - please describe

On-going process on strengthening the legislative-normative basis in context of chemicals safety will promote knowledge and skills in precaution process.

4. Are there any particular cases in your country/organization where precaution was not applied (decisions not made in the face of uncertain chemical risks) resulting in adverse impacts?

Yes No

If yes, briefly describe if and how decision-making processes have been modified as a result.

5. Does your government have processes in place to re-examine decisions made based on precaution or made in the face of uncertainty as additional data are available?

Yes No

If yes, briefly describe the process and how this process may be used to modify decisions, decision-making process, or tools.

The process of approved document re-examination or amendment is initiated (new norms, standards, restriction/limitation, etc.) after revealing that mechanism of decision is not effective and active.

Lessons Learned from applying precaution in chemicals management

6. What are some of the biggest challenges to your country's (organization's) application of precaution in the context of chemicals management or in chemicals management decision-making in the face of uncertainty?

Please check all that apply.

- Scientific capacity
- Lack of scientific information
- Legal challenges
- Technical challenges
- Financial challenges
- Trade Challenges
- Other?

For those checked boxes, please briefly indicate what were the implications of these barriers and how have they been addressed or if not yet addressed, how could they be addressed?

Due to the lack of financial resources both monitoring on chemicals residues in environmental media, and studies on the unfavourable impact of chemicals and waste to environmental and human health, in particular, health of women and children, which are especially vulnerable for exposure to various environmental factors, are rather limited. Therefore, currently available data on impacts caused by chemicals, including pesticides, to human health are insufficient for evaluation and management of risks, as well as decision-making on reduction and mitigation of existing risks.

It is worthwhile to note that the level of public awareness of possible risks on chemical substances and wastes is far to be perfect and needs to be improved. In general, the low level of environmental knowledge of representatives of managing bodies as well as the improper awareness of the society of risks and security of impact of dangerous chemical substances, wastes and pesticides, impedes largely to making environmentally sound decisions, and lowers their effectiveness in relation to various types of activities, and international trade and security.

Are these challenges also applicable to decision-making and actions regarding established risks?

Yes

No

Next steps

7. What are the most important needs of your country or organization for more effectively applying precaution (or making decisions in the face of uncertainty) and overcoming barriers in chemicals management decision-making?

Please check all that apply.

- Data on chemical toxicity/risks
- Tools for prioritization
- Tools for risk assessment
- Decision-making tools/frameworks
- Technical assistance in risk assessment processes
- Technical assistance in risk management processes
- Financial support for implementation
- International dialogue
- Information sharing to facilitate understanding of the issues
- Other

For those boxes checked, please briefly provide greater detail or links to additional information.

In Armenia there are high qualified researchers and specialists both on chemicals study and management issues. Due to lack of technical and financial resources the research on evaluation and management of chemical risks for human health and environment are limited that makes difficulties for more effectively applying precaution and overcoming barriers in chemicals management decision-making.

8. Briefly describe your perceptions as to some of the concerns regarding application of precaution in the context of chemicals safety?

Please briefly provide details or links to additional information.

Risk assessment and risk management are the main steps to apply precaution approach in the context of chemical safety.

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9. Do you have any additional information on tools and approaches for applying precaution that would be helpful to inform discussion?
Please provide any additional materials or web links.

Existing legislative and normative basis in the area of chemicals and waste management in the Republic of Armenia (see below List).

Regulation of issues on management of chemicals and wastes in the Republic of Armenia is executed by a number of the following laws and other legal acts aimed at prevention of the harmful impact of chemicals and wastes to the environmental and human health:

- ↳ Republic of Armenia Law “On Waste” (No. 159-N of November 24, 2004);
 - Governmental Decision of the Republic of Armenia "On the order of regulating the import, export and transit transportation of hazardous and other wastes over the territory of the Republic of Armenia" (No. 97 dated December 8, 1995);
 - “Lists of regulated and non-regulated wastes, hazardous properties thereof, documents on the procedure of applications, notices and disposal/ removal” approved by the Ministry of Nature Protection (Order No. 96 of August 10, 1999; Agency act);
 - Decision of the Government of the Republic of Armenia No.874-A «On approval of the “Republic of Armenia List of hazardous wastes” (dated May 20, 2004);
 - Decision of the Government of the Republic of Armenia “On applying changes to the Decision of the Republic of Armenia No.97 of December 8, 1995 and on approval of the Republic of Armenia List of prohibited hazardous wastes” (No.1093-N; dated July 8, 2004);
 - Governmental Decision of the Republic of Armenia “On ensuring fulfillment of the Republic of Armenia obligations on Basel Convention on Control of Transboundary Movements of Hazardous Wastes and Their Disposal” (No. 97 of March 2, 2000);
 - Decision of the Minister of Nature Protection of the Republic of Armenia “On recognizing the Department of Hazardous Substances and Waste Management at the Administration of the Ministry of Nature Protection of the Republic of Armenia as the focal point for information exchange with the Secretariat of the Stockholm Convention” (No.104-A of April 23, 2004);
 - Protocol Decision of the Government of the Republic of Armenia “On approval of the National Profile on Chemicals and Waste Management” (No. 26 of July 8, 2004);
 - Decision of the Government of the Republic of Armenia “On implementation of the Republic of Armenia obligations on Stockholm Convention signed May 23, 2001” (No. 1483-N dated October 29, 2004);
 - Decision of the Government of the Republic of Armenia “On implementation of the Republic of Armenia obligations on Rotterdam Convention signed September 10, 1998” (No. 1508-N dated October 29, 2004);
 - Decision of the Government of the Republic of Armenia “On approval of the List of actions to implement Republic of Armenia obligations under a number of International Environmental Conventions (No. 1840-N of December 2, 2004);

- Protocol Decision of the Government of the Republic of Armenia “On approval of the “List of actions implemented within the frames of the “National Implementation Plan for the Stockholm Convention on Persistent Organic Pollutants in the Republic of Armenia during 2005-2010” (No. 1 of January 13, 2005).
- Decision of the Government of the Republic of Armenia “On approval of the List of chemicals and pesticides regulated by Rotterdam Convention and banned in the Republic of Armenia” (No. 293-N of March 17, 2005);
- Decision of the Government of the Republic of Armenia “On establishment of the State non-commercial organization “Waste Research Center” (No. 670-N of May 19, 2005);
- Decision of the Government of the Republic of Armenia “On assignment of the designated body in the waste management area” (No 599-N of May 19, 2005);
- Decision of the Prime Minister of the Republic of Armenia “On measures ensuring realization of the Republic of Armenia “Law on Waste” (No 380-A of May 30, 2005);
- Protocol Decision of the Republic of Armenia Government «On approval of the Programme for development of a normative regulating document “Waste Classification according to Hazard” (No 33 of August 18, 2005);
- Decision of the Government of the Republic of Armenia “On approval of the order to approve draft standards for waste generation and placement limits” (No 2291-N of December 9, 2005);
- Decision of the Government of the Republic of Armenia “On approval of the order for waste passportisation” (No 47-N of January 19, 2006);
- Decision of the Government of the Republic of Armenia “On approval of the order for maintenance of the Registry on waste generation, processing and utilization entities” (No 500-N of April 20, 2006).

↳ Republic of Armenia Law “On expertise of environmental impacts”;

↳ Republic of Armenia Law “On Licensing”;

- Decision of the Government of the Republic of Armenia No.121-N of January 30, 2003 “On the order of licensing for activity on processing, treatment, storage, transportation, and placement of hazardous wastes in the Republic of Armenia”;
- Decision of the Prime Minister of the Republic of Armenia “On approval of the membership and order of activity of inter-departmental commission on licensing of activity on recycling, treatment, storage, transportation and placement of hazardous wastes in the Republic of Armenia” (No. 46-N of February 5, 2004);
- Republic of Armenia Governmental Decision No. 902 of December 31, 2000 “On prohibition for transportation of certain goods through customs borders of the Republic of Armenia according to customs regimen”;
- Decision of the Prime Minister of the Republic of Armenia “On setting-up the working group on regulation of the issues dealing with destruction of obsolete, inappropriate-for-use chemical plant protection substances and working-out action plan for destruction thereof” (No. 452-A of September 22, 2003);

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- Decision of the Government of the Republic of Armenia No. 526-A “On approval of measures ensuring security of obsolete pesticides burial and on assigning funds from Republic of Armenia state budget for FY 2004” (dated April 22, 2004);
- ↪ Law of the Republic of Armenia “About maintenance of sanitary - hygienic security of the population”;
 - ↪ Law of the Republic of Armenia “About the Lake Sevan”;
 - Republic of Armenia Governmental Decision No. 57 of January 24, 2002 “On approval of the list substances, biogenic elements, heavy metals or compounds thereof and other substances having negative impact on ecosystem of Lake Sevan”;
 - ↪ Law of the Republic of Armenia “On Payments/Fees for Nature Use and Nature Protection”;
 - ↪ Law of the Republic of Armenia “On rates of Environmental Fees”;
 - Republic of Armenia Governmental Decision No. 702 of November 11, 1998 “On approval of the Statute of Safety Passport of an industrial entity in the Republic of Armenia”
 - ↪ Republic of Armenia “Law on Plant protection and quarantine”.
 - Decision of the Republic of Armenia No.18 of January 11, 2001 “ On approval of the personal membership of Interdepartmental Commission on registration of chemical, biological means of plant protection and biologically active substances”;
 - Decision of the Government of the Republic of Armenia No.12 of January 8, 2002 “On approval of the order of State registration of plant protection means”
 - “List of chemical and biological plant protection means allowed for application in the Republic of Armenia” approved by the Ministry of Agriculture of the Republic of Armenia (Order No. 198-N of November 18, 2003; Agency act);
 - ↪ Republic of Armenia Code on Underground Resources
 - ↪ Republic of Armenia Code on Water;
 - ↪ Republic of Armenia Code on Land;
 - ↪ “Republic of Armenia Code on Administrative Violations”;
 - ↪ Republic of Armenia Criminal Code;
 - ↪ Republic of Armenia Law “On arrangement of checks at the organizations functioning on the territory of the Republic of Armenia.

Please note: Unless you indicate otherwise in your response, your submission and those of others will be posted on the IFCS website.