

# **Meeting of Experts to Examine Instruments, Knowledge, Advocacy, Technical Cooperation and International Collaboration as Tools with a view to Developing a Policy Framework for Hazardous Substances**

**Geneva, 10–13 December 2007**

## **Recommendations**

The Meeting of Experts to Examine Instruments, Knowledge, Advocacy, Technical Cooperation and International Collaboration as Tools with a view to Developing a Policy Framework for Hazardous Substances,

Having met in Geneva from 10 to 13 December 2007,

Adopts this thirteenth day of December 2007 the following recommendations:

## **Introduction**

1. Chemicals are widely used throughout society, with both positive and negative effects on health, well-being and socio-economic aspects. Significant but still insufficient progress has been made in international chemicals management and regulations. Serious incidents still occur and there are still negative impacts on both human health and the environment. Workers who are directly exposed to hazardous substances should have the right to work in a safe and healthy environment, as well as to be properly trained, informed and protected. Governments, employers and workers continue their efforts to minimize the negative effects of the use<sup>1</sup> of hazardous substances through appropriate and efficient regulations and management systems.
2. Decent work must be safe work. Occupational safety and health (OSH) has always been a central issue for the ILO. ILO Conventions such as the Occupational Safety and Health Convention, 1981 (No. 155), the Chemicals Convention, 1990 (No. 170), and the Prevention of Major Industrial Accidents Convention, 1993 (No. 174), have contributed to the development of a coherent approach to chemical safety respecting concerns both for workers and human health and the environment. Those instruments, as well as the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), also serve as a good basis for employers', workers' and governments' work on OSH. There is an obvious need to promote all these ILO instruments.

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<sup>1</sup> Convention No. 170, Article 2(c) states: "... the term 'use of chemicals at work' means any work activity which may expose a worker to a chemical, including:

- (i) the production of chemicals;
- (ii) the handling of chemicals;
- (iii) the storage of chemicals;
- (iv) the transport of chemicals;
- (v) the disposal and treatment of waste chemicals;
- (vi) the release of chemicals resulting from work activities;
- (vii) the maintenance, repair and cleaning of equipment and containers for chemicals;"

3. The principles and rights embodied in chemical safety instruments have had a significant influence on the development of global OSH and chemical safety management frameworks through, for example, the Globally Harmonized System for the Classification and Labelling of Chemicals (GHS), the International Chemical Safety Cards (ICSCs), implementation strategies such as Chapter 19 of Agenda 21 on environmentally sound management of toxic chemicals, and more recently, the Strategic Approach to International Chemicals Management (SAICM). As mentioned in the *Global Strategy on Occupational Safety and Health*,<sup>2</sup> given its tripartite participation and recognized global mandate in the area of OSH, the ILO is particularly well equipped to make a real impact in the world of work. Furthermore, factors such as continuous scientific and technological progress, global growth in chemicals production and changes in the organization of work, which may result in different types of atypical employment, call for an ongoing, coherent global response.
4. A relevant, coherent and effective approach is to use a management systems approach based on the general ILO principles on OSH and social dialogue. It should aim at the continuous harmonization, integration and improvement of preventative and protective systems and tools, encompassing both the workplace and the environment. It is a fact that the sound management of hazardous substances in the workplace is an essential element in reducing their impact on the environment, workers and industry. The SAICM's Dubai Declaration on International Chemicals Management recognizes the importance of the ILO's two key chemical safety standards namely, Conventions Nos 170 and 174, in promoting the sound management of hazardous substances throughout their life cycle.

## **Plan of action**

5. In order to obtain synergies and a multiplier effect in this area, the ILO should proactively provide a higher level of input in the implementation of the SAICM regarding OSH issues. The Meeting of Experts recommends a plan of action based on the following fundamental pillars: information and knowledge; preventative and protective systems aimed at reduction of risks; capacity building; social dialogue; and good governance. The plan of action should be implemented through a variety of instruments, including ILO standards and joint actions, and be based on the principles of the 2003 *Global Strategy on Occupational Safety and Health* and the SAICM, and in partnership with workers, employers and governments. It should address the following areas.

## **Social dialogue**

6. The joint support from employers and workers and their participation are essential for successfully achieving the goals of the Organization with regard to the global management of hazardous substances. Such joint support and participation should include:
  - the promotion of the ratification or implementation, as appropriate, of the corpus of up to date ILO OSH instruments, with a particular focus on Conventions Nos 170, 174 and 187;
  - the promotion of a wide implementation of the *ILO Guidelines on occupational safety and health management systems, ILO-OSH 2001* and the 2003 Global Strategy at the national, sectoral and enterprise levels;

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<sup>2</sup> Conclusions adopted by the International Labour Conference at its 91st Session, 2003.

- in cooperation with the ILO and other appropriate intergovernmental organizations, the mobilization of resources to improve OSH training and information, and building and implementing a preventative safety and health culture;
- encouraging and taking part in all aspects of the development, implementation and management of national OSH systems and programmes;
- a contribution to the implementation of the SAICM and promoting the use of ILO instruments and resources relevant to OSH and chemical safety, through the promotion of a partnership approach. Global framework agreements can be one example of this approach; and
- construction of close cooperation on knowledge and information development, good governance, awareness raising and capacity building.

### ***Information and knowledge***

7. The acquisition, management and dissemination of information and knowledge related to hazardous substances need to be continuous and integrated in the process of developing and marketing chemicals. Universal access to this information and knowledge is essential to the development of prevention and protection tools. This includes:

- assessing the hazardous properties of chemicals and strengthening screening and evaluation systems for new chemicals entering the market;
- supporting efforts to harmonize chemical hazard identification, assessment and management methods at an international level;
- promoting universal access to reliable information on hazardous substances such as classification and labelling and material safety data sheets in as many languages as possible;
- taking into account the needs of all workers, particularly vulnerable and precarious workers;
- supporting the development and implementation of international standards and technical guidelines on the prevention of exposure to, and the sound management of, hazardous substances, including occupational exposure limits (OELs) and lists of occupational diseases;
- raising awareness about the strong links between the environment and the world of work and the fact that any workplace improvements in managing hazardous substances will contribute to the protection of the environment; and
- monitoring national and international activities related to safety in the use of new technologies such as nanotechnologies and possibly contributing to them through ILO participation in relevant intergovernmental coordination groups.

The contributions of all social partners to this process are vital.

8. In this context the ILO should focus its action, in cooperation with employers, workers and governments, on:
- promoting the adoption by member States and the implementation and use by industry of the GHS;
  - increasing its input in the development, updating, translation, dissemination and overall promotion of the International Programme on Chemical Safety (IPCS) ICSCs, as well as promoting the use of internationally recognized hazardous chemicals assessments such as the IPCS Environmental Health Criteria (EHC) and the Concise International Chemical Assessment Documents (CICAD); and
  - promoting the development of global networks to facilitate the sharing of good practices, methodologies, interventions, approaches and results of research to improve the sound management of hazardous substances, and making full use of the wide network of the ILO CIS national centres.

### ***Implementation through ILO instruments***

9. The principles and rights in the corpus of the up to date ILO general OSH and chemical safety standards and related codes of practice and guidelines constitute a current, comprehensive and sound basis for developing coherent national OSH systems that include elements necessary for the sound management of chemicals at the workplace. As a priority, the ILO should assign central importance to the promotion of the Occupational Safety and Health Convention, 1981 (No. 155), the Chemicals Convention, 1990 (No. 170), and the Prevention of Major Industrial Accidents Convention, 1993 (No. 174), as well as the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), and related Recommendations.
10. The Meeting of Experts agreed that the five instruments<sup>3</sup> regulating a single chemical substance were obsolete and in need of revision. However, no consensus was reached on how to address this. OSH is an area which is in constant technical evolution. High-level instruments to be developed should therefore focus on key principles. The ILO should develop a methodology for a systematic updating of codes and guidelines on hazardous substances.

### ***International cooperation***

11. In order to contribute fully to the implementation of the SAICM, the ILO should continue to:
- actively collaborate with other IOMC members as this is an effective mechanism for policy coordination for chemical management;
  - strengthen ILO tripartite participation in SAICM activities and use the SAICM mechanisms to build technical cooperation synergies for the promotion of ILO instruments, guidelines and programmes related both to OSH and hazardous substances; and

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<sup>3</sup> The White Lead (Painting) Convention, 1921 (No. 13), the Benzene Convention, 1971 (No. 136), and Recommendation (No. 144), the Lead Poisoning (Women and Children) Recommendation, 1919 (No. 4), and the White Phosphorus Recommendation, 1919 (No. 6).

- strengthen the technical collaboration with the United Nations Institute for Training and Research (UNITAR) in developing chemical safety training tools for the GHS and guidance for the implementation of national chemical safety programmes.
12. The plan of action should be the basis for the ILO's contribution to the second session of the International Conference on Chemicals Management (ICCM2), May 2009.

### ***Awareness raising and capacity building***

13. In order to promote an effective implementation of relevant instruments on the sound management of chemicals, the ILO should, in the context of the Decent Work Country Programmes (DWCPs), mobilize internal and external resources to include chemical safety components in its technical cooperation projects related to the building and strengthening of national OSH systems and programmes. In doing so, the ILO, in collaboration with other members of the IOMC, should cooperate closely with employers, workers and governments with a view to improving the sound management of chemicals at national and global levels, particularly within small and medium-sized enterprises (SMEs). This could include:
- providing capacity building targeted at constituents with a view to promoting awareness and knowledge on sound management of chemicals;
  - providing information and training and technical assistance for the implementation of the GHS; and
  - assisting countries in developing and maintaining national OSH information centres, such as the CIS national centres.

### ***Good governance and knowledge dissemination***

14. As provided by the Dubai Declaration, sound management of hazardous substances requires effective and efficient governance through transparency, public participation, and accountability involving all stakeholders. The application of a systems approach to the sound management of chemicals is essential, both at national and enterprise levels, in particular for SMEs. Thus, the ILO should:
- promote, in collaboration with other members of the Inter-Organization Programme for the Sound Management of Chemicals (IOMC), and in the implementation of the SAICM, the ratification of Conventions Nos 170, 174 and 187, and the establishment of national OSH systems, programmes and profiles;
  - promote the implementation of the OSH management systems approach, based on the *ILO-OSH 2001* as an effective method for the continuous improvement and updating of OSH systems and the building of a preventative safety and health culture; and
  - ensure that specific needs of all workers, particularly vulnerable and precarious workers, are taken into account.

***Preventative and protective systems  
aimed at risk reduction***

15. Prevention entails implementation of preventative and protective systems. In this context the ILO should focus its action in cooperation with employers, workers and governments, and other IOMC members, on:
- promoting the implementation of preventative and protective measures according to the hierarchy of controls as contained within section 3.10 of *ILO-OSH 2001*;
  - ensuring that the needs of all workers, particularly vulnerable and precarious workers, subject to exposure to chemicals that may pose a hazard/risk are taken into account and protected in making decisions on chemicals;
  - implementing transparent, comprehensive, efficient and effective risk-management strategies based on appropriate scientific understanding of health effects, hazard/risk elimination, including detailed safety information on chemicals, to prevent unsafe or unnecessary exposures to chemicals at the workplace;
  - applying appropriately the precautionary approach, as set out in Principle 15 of the Rio Declaration on Environment and Development, while aiming to achieve that chemicals are used and produced in ways that lead to the minimization of adverse effects on the health of workers; and
  - enhancing the effectiveness of risk-management systems through social dialogue.