

Resolution

of the High Level International Expert Conference "Asbestos and POPs – Policies and Practices in Kazakhstan and the European Union"

20-21 April 2009, Astana, Kazakhstan

Part. 1: Asbestos

Introduction

Asbestos is a sensitive issue in Kazakhstan. Some 220.000 metric tons are produced every year, which roughly corresponds to 10% of the annual worldwide production. Due to its favourable properties asbestos is used in a variety of industrial products, among others in the construction industry. On the other hand, asbestos is recognized by the International Agency for Research on Cancer (IARC) as one of the substances carcinogenic for humans. While amphibole asbestos has a higher carcinogenic potential in comparison to chrysotile asbestos, chrysotile asbestos is also carcinogenic for human beings.

Chrysotile asbestos, the type of asbestos produced in Kazakhstan, is carcinogenic and hence poses a potential risk to human health.

In Kazakhstan, debates have started about production and use of locally mined chrysotile asbestos, as to whether such asbestos can be produced and utilized bearing responsibility for public health, provided that adequate risk management measures are in place.

Recommendations to the Government of the Kazakh Republic:

1. **Provide for transparency through access to information and raising awareness on all aspects of the asbestos problem.**

Representatives of industry have referenced to publications supporting their arguments. Representatives of non-governmental organisations require checks and independent information and refer to the rights set forth in the Aarhus Convention. The Government could contribute to the desired transparency by coordinating and providing oversight of the production of scientifically sound, unbiased information for the public.

2. Consider the suitability of **developing a national asbestos profile in Kazakhstan**, according to the recommendations of the World Health Organisation and the International Labour Office and taking into account the specifics of the country.

3. Request from the chrysotile asbestos industry a comprehensive **report on their risk management systems** in place comprising measures for protection of the health of workers and the public. For the preparation of this report public participation has to be ensured, including representatives of the public at large and vulnerable groups, and giving due consideration to the precautionary principle. The report and its review should be made publicly available.

4. On the basis of the results of additional studies, including supported by the WHO and ILO, consider the suitability of **including chrysotile asbestos in Annex 3 of the Rotterdam Convention.**

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Part. 2: Persistent Organic Pollutants - POPs

Recommendations for the Government of the Republic of Kazakhstan and to the Ministry of Environment:

1. To develop and adopt a National Action Plan in order to fulfil the obligations of the Republic of Kazakhstan under the Stockholm Convention.
2. To suspend all work on the destruction of Persistent Organic Pollutants as well as the dismantling of objects polluted by POP's until the National Action Plan has come into effect.

Recommendations for the Ministry of Industry and Trade:

3. To develop a list of potentially hazardous chemicals, covered by the Law «On the safety of chemical products», This list should be based on the Annex to the Protocol on Pollutant Release and Transfer Registers of the Aarhus Convention on Access to Information, Public Participation in decision-making and access to Justice in environmental matters.
4. To support the rapid ratification of the above mentioned Protocol as well as the establishment of registers on the release and transfer of pollutants at local, regional and national level.
5. To conduct a detailed inventory of existing sources of Persistent Organic Pollutants (POP's) and other potentially hazardous chemicals.
6. To ensure the efficient public participation and involvement in activities related to SAICM, international conventions and treaties in the field of chemical safety, such as development of policies, legislation, specific plans, programs and projects.
7. To ensure the full and timely provision of information to all interested community groups, including the existing networks of NGO's, as well as the opportunity to express their views and guaranteeing their participation in the decision-making process. It is important to include representatives from the public and the scientific community in

working groups and councils, as well as the official delegations working on the issues.

8. To mobilize resources at national level and to make use of the financial mechanisms under the Stockholm Convention and SAICM in order to meet the objectives of these agreements.
9. To ensure the transparency of all financial resources provided by international financial institutions, donor countries as well as public funds for the elimination of toxic chemicals (including persistent organic pollutants) and their stocks as well as those for the re-cultivation of contaminated land areas, and the development of environmentally friendly alternatives.

Recommendations for the Ministry of Environment:

10. To bring the existing legislation on Persistent Organic Pollutants in compliance with the Stockholm Convention, taking into account the Government Regulation on the Use, storage, transportation and safe disposal of Persistent Organic Pollutants in accordance with the timetable set by the Stockholm Convention.
11. To include measures for the motivation of industrial enterprises to apply the best available technologies and the best environmental practices (NDT / NEP) regarding unintentional POP's.
12. To consider the early introduction of regulatory and financial mechanisms on the release of POP's (including dioxins, furans) into the environment.
13. To apply the precautionary principle on the production and use of chemicals. According to this principle preventive measures should be taken in case there is reasonable concern, even if no obvious evidence or no causal link between an activity and the consequences is available.
14. To ensure that all information on chemicals is available to the general public, including information on chemicals used in products, data on their properties and information on the effects on human health and the environment, as well as information on the alternatives for these chemicals.
15. To apply the principle of substitution. This principle provides safe alternatives for the substitution of hazardous chemicals, products and processes based on the Stockholm Convention on POP's.

16. To ensure the application of the "polluter pays" principle especially for POP's. This principle requires the compensation of costs resulting from the effects on human health and the environment caused by the production and/or use of chemicals. This principle concerns in particular the identification and prosecution of parties who are guilty of inflicting injury to the rights and the environment.
17. To provide an effective approach for the implementation of corporate responsibility.
18. To promote the further development of monitoring programs for the determination of emissions from sources such as stacks, waste pipes and to measure the background levels in all parts of the environment and in living organisms.
19. To strengthen the control of the state-owned and private-owned chemical industry
20. To inform mandatory the general public on the plans for the construction of incineration plants.
21. To provide the general public comprehensive information on the technology of waste incineration
22. To ensure the participation of the general public, non-governmental organisations in working groups and committees working on the analysis of economic and environmental acceptability of the proposed waste elimination technologies.