



Global Webinar for Policymakers on Eliminating Lead in Paint through Regulatory Action

5 October 2020

15:00-17:00 (GMT +2)

WebEx

Webinar Report

BACKGROUND:

Lead is a cumulative toxicant that poses serious risks to human health and development, with children being especially vulnerable. Lead-containing paint remains one of the major sources of lead exposure for children globally and was identified as one of the international Emerging Policy Issues of focus by Strategic Approach to International Chemicals Management (SAICM). Since then, the international community, governments, industry and nongovernmental organizations have been working together to promote the establishment of lead paint laws in all countries. In 2009, the second SAICM International Conference on Chemicals Management policy framework endorsed the establishment of the Global Alliance to Eliminate Lead Paint (or Lead Paint Alliance). UNEP and WHO serve as the joint Secretariat for this partnership and the US Environmental Protection Agency is the Chair of the Alliance Advisory Council. The goal of the Lead Paint Alliance is to phase out the manufacture, import and sale of paints containing lead and eventually to eliminate the risks from such paint. To achieve this goal globally, the Lead Paint Alliance is encouraging countries to eliminate lead in new paints by establishing and enforcing lead paint laws.

Government policymakers are critical to the development of lead paint laws. Given this, the Alliance facilitated a global webinar for this key stakeholder group. The webinar focused on information of interest to government policymakers considering or in the process of developing lead paint laws and to stakeholders engaged in that process.

OBJECTIVES:

The webinar aimed to provide participants with:

- An understanding of why the elimination of lead paint is important
- An overview of the goal of the Lead Paint Alliance and how the SAICM Lead Paint project supports this goal.
- Guidance on how to draft lead paint regulations.
- Information on lead paint testing.
- Perspectives of industry and ideas on how best to work with industry on lead paint regulation and reformulation efforts.

SUMMARY:

The Global Webinar for the Paint Industry on Eliminating Lead Paint featured presentations on topics most relevant to policymakers such as understanding the harms of lead paint exposure, developing regulations based on the Model Law, and working with industry on testing and reformulation efforts. (see agenda in Appendix I). Presenters included UNEP, WHO, the World Coatings Council (WCC), the American Bar Association Rule of Law Initiative (ABA-ROLI), and the US Department of Commerce (US DOC). The webinar was facilitated by Angela Bandemehr of the US Environmental Protection Agency, which is the Chair of the Lead Paint Alliance Advisory Council. There were 44 attendees, representing industry, NGOs, governments, and academia from countries around the world. Participant statistics showed that 50 percent of participants were from government, and almost 20 percent from industry and NGOs respectively (see table 1). UNEP and WHO noted the importance of developing and implementing lead paint laws to eliminate lead in paint, which is a source of lead exposure, especially for children. ABA ROLI presented the *Model Law and Guidance for Regulating Lead Paint* as a helpful tool for governments. US DOC indicated that lack of laboratory capacity need not be an obstacle to developing, establishing, and enforcing a lead paint law, and WHO presented on available testing methods and capacity. WCC noted the support of industry for lead paint laws. The webinar was first in a series, the second of which was specifically tailored to industry. Key links and information are provided at the end of the Presentation Summaries section in this report. The presentations developed for the webinar are posted on UNEP's website¹ and will be incorporated into an updated UNEP Toolkit for establishing laws to eliminate lead paint.²

TABLE 1: PARTICIPANT STATISTICS

Organization Type	Number of Participants	Percent	Notes
Academia	2	5	Lebanon, Nigeria
Government	22	50	US (11), Sierra Leone (2), Madagascar, Ghana, South Africa, Honduras, Colombia (2), Mexico, Jordan, Belarus
Industry	8	18	US, Brazil, Mexico, Spain
NGO	8	18	Nepal, UK, India, Albania, Nigeria, Zambia, Zimbabwe
Intergovernmental Organizations	3	7	UNICEF, Basel Regional Center
Media	1	2	UK
TOTAL Attendees	44	100	
Panelists and organizers	14		
TOTAL	58		

¹ Lead Paint Alliance Global Policymakers Webinar: <https://www.unep.org/events/webinar/global-policymakers-webinar-eliminating-lead-paint-through-regulatory-action>

² UNEP Regulatory Toolkit: <https://www.unenvironment.org/toolkit-establishing-laws-eliminate-lead-paint>

PRESENTATION SUMMARIES:

Opening Remarks: Desiree Narvaez, UNEP

Main Point:

- UNEP welcomed webinar participants and noted the importance of the work of government policymakers to develop and implement lead paint laws.

Introduction: The Impacts of Lead Exposure and the Need for Regulation: Elena Jordan, WHO

Main Points:

Lead presents a significant health concern

- Lead has wide-ranging effects on health. These have personal, societal and economic impacts.
- Even low levels of lead can lead to health effects.
- Pregnant women and children are particularly vulnerable.
- It is essential to minimize lead exposure from all sources.

Lead paint is a real risk

- Good data link lead in paint to human exposure and poisoning.
- Exposure occurs during entire lead paint life cycle.
- Children in homes with no lead paint are more likely to have low blood lead levels.
- There is evidence linking lead in paint to lead in dust and elevated blood lead levels in children.

Actions can and must be made now

- Paints with the required properties can be made without adding lead.
- Remediation of lead paint is expensive. It is better to proactively prevent exposure in the first place by eliminating lead paint.
- As more countries regulate and enforce lead paint laws, the market for lead paint will continue to shrink.
- Stopping the addition of lead to paint makes public health and business sense. Therefore, action by government and industry is needed. Eliminating intentionally added lead in paint is protective and feasible.
- The United Nations' *Model Law and Guidance for Regulating Lead Paint* (Model Law) recommends a limit of 90 ppm.

Overview of Global Alliance to Eliminate Lead Paint and Global Status of Laws: Desiree Raquel Narvaez, UNEP

Main Points:

- Voluntary global public-private partnership.
- Modeled on successful partnership for Clean Fuels and Vehicles.

- Voluntary national standards have been proven to not be effective.
- Countries are successful when governments work with relevant ministries and stakeholders, developing a legal limit on lead paint using the Model Law.
- The Lead Paint Alliance Advisory Council consists of governments, NGO's, and industry.
- The goal is to establish lead paint laws in every country.
- Lead paint elimination is gaining momentum globally, and the problem of lead paint can be solved in the foreseeable future.
- Key steps for countries are to: identify and obtain support from government industries and stakeholders; convene a drafting committee; conduct a public review of the draft law; promulgate the law.
- IPEN member NGO's published lead paint testing studies in 59 countries and found that where no enforced regulation is in place, there is lead paint on the market.
- The Model Law and Guidance for Regulating Lead Paint was developed by the Alliance upon request from government and supported by industry and NGO's. The Model Law includes a 90 ppm total lead limit in paint and is adaptable to each country's regulatory framework.
- The history of the recognition of issues with lead paint date back to the early 1900's, when its hazards were first recognized by doctors. In the 1920's-1930's, countries began to ban the use of lead carbonates through the ILO Convention on White Lead. In the 1970's-1990's, a few countries began introducing more comprehensive laws. Since 2000, lead paint laws have become more restrictive, and more countries are beginning to introduce laws
- As of the date of the webinar, 77 countries have adopted lead paint laws, which is 39% of countries globally.
- Progress of GEF lead paint project since September 2018 (as of the date of this conference): 5 countries have passed or strengthened lead paint legislation; 12 countries are at the final stages of drafting lead paint laws; 2 paint producers have finished the reformulation process and can now produce lead-free paint; 32 other paint companies have agreed to participate in paint reformulation, and 15 companies are engaged in the reformulation process; 61 countries are currently being assisted by the lead paint project (57 initially targeted and 4 additional).

Guidance for Developing Regulations on Lead Paint: The Model Law for Regulating Lead Paint:

Amanda Rawls, ABA-ROLI

Main Points:

- There are incentives for change through establishing lead paint laws for manufacturers to reformulate paints, for ingredient suppliers to produce more and better non-lead ingredients, and for importers to purchase and sell paints that comply with the law.
- There are benefits for industry for national laws to create a fair market and reducing trade barriers through harmonized laws.
- Stakeholder engagement for the adoption of lead paint laws includes identifying the relevant government ministry/ministries, and conduction meetings with key civil society and industry stakeholders.

- Steps to develop a lead paint law: 1) assess options under national legal framework; 2) Designate the agency for drafting; 3) establish a drafting and coordinating group; 4) develop the content of the draft law; 5) conduct a public review process; 6) promulgate the law; 7) plan ahead for the implementation of the law.
- Considerations for developing the content of the draft law: What lead concentration(s) will your country set? What paint products will the limit apply to? When will the limit on lead content in paint become mandatory? How will manufacturers and importers be required to demonstrate compliance? What government agency will have the primary responsibility for enforcement? What powers will this agency have? What acts will be prohibited in the law? What penalties will there be for these violations?
- The Model Law and Guidance is an important tool to help countries
- The Model Laws contains sample legal language to phase out lead in paint. It is a template for strong, straightforward, efficient lead paint restrictions.
- The Model Law is intended to be adapted to each country's existing legal framework and is available online in 6 UN languages.
- The Model Law limits lead content in new paints to prevent new exposures to lead.
- The Model Law's recommended 90 ppm total lead limit is achievable when manufacturers stop the intentional use of lead additives and is a commonly used limit globally.
- The Model Law suggests that manufacturers and importers should arrange for testing of their paints and certify compliance with lead limit.
- According to Model Law provisions, manufacturers, importers, distributors, and retailers are all responsible for ensuring compliance.
- As countries develop lead paint laws, they are adapting Model Law provisions to their situations.
- Ecuador is drafting a national standard, giving two different lead limits based on types of paint.
- Ethiopia passed a national stand-alone regulation in 2018, setting a 90 ppm limit for lead in paint or any paint product.
- The Philippines restricted the use of lead in all paints in 2013 under the chemicals management law, in a phased approach with requirements to take effect for architectural paints first, then industrial paints.
- Ukraine is drafting an order and technical regulation which incorporates a Declaration of Conformity provision.
- East African Community adopted a regional standard for EAC member countries in 2019.

The Model Law: Testing Requirements and Implications for Industry Compliance and Lab Capacity:

Michael Cofield, U.S. Department of Commerce

Main Points:

- Lack of laboratory capacity need not be an obstacle to developing, establishing, and enforcing a lead paint law.
- Section D of the Model Law requires manufacturers and importers to submit samples of paint or similar coating materials to a third-party laboratory. Manufacturers and importers are required to issue a declaration of conformity.

- Section E of the Law authorizes government agents to enter a location at reasonable times to inspect and test paint or similar coating materials.
- Given that manufacturers and importers are the parties most affected by the testing requirements, it is crucial that governments work with the private sector to determine phased-in effective dates for the 90-ppm total lead limit.
- Phased-in effective dates allow time for industry to change its practices and come into compliance with the limit and to determine how it will obtain testing; and for government to encourage in-country laboratories to acquire the necessary equipment, expertise, and accreditation to perform the required testing.
- According to the Model law, paints without an accompanying declaration do not need to be tested because without the declaration they are already in violation of the Law's requirements.
- Model law recommends that civil, and possibly criminal, penalties apply to parties selling, manufacturing, or importing such paints.
- One goal of government inspections should be to ensure that all paints for sale can produce a copy of a declaration.
- In order to ensure that testing is not unduly burdensome and duplicative, importers may be allowed to rely on a foreign manufacturer's test results to issue a declaration of conformity.
- The more aware consumers become about the risks associated with lead levels in paint, the more inclined they will be to choose compliant paint, regardless of price considerations. Manufacturers and importers will not want to miss out on the opportunity to provide compliant paints.
- As more and more countries adopt provisions in the Model Law, including a 90ppm limit, a manufacturer will have access to more markets for exports by producing paints with the lowest possible limit – even in the absence of a law. A manufacturer producing non-compliant paint is greatly reducing its ability to expand its market.

Overview of Lead Paint Testing Methods: Elena Jordan, WHO

Main Points:

- Lead paint testing is a key enforcement and compliance tool.
- It can be used by governments to determine if a paint meets the regulatory requirement for permitted lead content.
- And it can be used by paint manufacturers or importers to document compliance with a lead paint limit.
- International standards for testing and sampling methods exist. Laboratories should be contacted to understand their capacity and experience in conducting lead paint testing.
- There are various laboratory methods for testing lead paint that differ in accuracy, limit of detection and cost.
- In choosing a laboratory, various considerations need to be taken into account, such as the laboratory's experience with lead paint analysis, accreditation and analytical methods used.
- In addition, portable High Definition X-Ray Fluorescence (HD XRF) analyzers are a relatively new technology that use ionizing radiation and can be used in the field. They are expensive to buy but cheaper to operate than conventional laboratory methods and has a low detection limit.
- HD XRF can be used for compliance testing to a 90 ppm limit.

- Current lack of in-country lab capacity should not be an impediment to a lead paint law going into effect, as countries can send samples to other countries for testing, and increasing demand for laboratory testing creates a market for laboratory services in country.

Industry Perspective on the Elimination of Lead Paint: Steven Sides, WCC

Main Points:

- Many WCC members have joined the Lead Paint Alliance in support of its goal to eliminate lead paint.
- WCC supports the UN's Model Law for widespread and verifiable compliance.
- Exposure to lead has been studied for over 100 years.
- Lead paint restrictions are already in many places all over the world.
- Industry representatives have many opportunities to engage with eliminating lead in paint.
- Laws have tracked awareness of the lead issue.
- Establishment of a level playing field for manufacturers is important. The Model Law is key to beginning discussions on lead paint laws.
- 15% of global production of paints is in countries that do not regulate the use of lead compounds, which is a significant amount of global paint production not subject to regulation.
- Industry believes that less than 4% of global coatings production might require reformulation.
- Waterborne paints (which have never used lead compounds) are gaining market share.
- The problem of laboratory capacity and testing can be addressed by the concept of conformity assessment; if test data developed in one country can also be accepted in another country, this drives the change more quickly.
- Overall, more awareness of the dangers of lead, leads to more paint laws.
- Companies will have larger market opportunity if they stop making lead paint.
- High levels of lead in paint are usually un-intentionally added (such as residual lead), and a slightly higher limit may be needed. Industry needs to work with governments closely should a higher limit be needed.
- In many countries 90 ppm is feasible.
- Governments need to develop a sound public health rationale for lead paint laws.

Q & A Discussion

In this session participants asked questions about the webinar as a whole.

Question: Asia has highest level 87 % (699.0/799) of Global Economic losses due to lead exposure required special attention. What specific attention has been paid to address these highest economic losses in Asia?

Answer: UNEP invited 11 countries from this region to join the GEF project. Several are now working on laws. China just revised their laws. We look forward to finalizing more laws. We are open to working with countries to help them draft lead paint laws. [Note: since the webinar was held, Vietnam passed a law in December 2020]

Question: There is a need of defining paint and its scope. As some countries have double standard for different kinds of paints. So, there is need to convey to each country to make ONE single lead paint standards for all categories of paints.

Answer: The next presentation will explain how the Alliance advises countries handle regulating lead paint. We encourage setting a low limit on lead in all paints. We also encourage governments to speak with all relevant stakeholders to determine the best approach to setting a low lead limit for paint depending on the type of paint.

Question: Why are some countries in the ECOWAS region under IPEN and some under UNEP? Is that the structure of the Project?

Answer: Yes, the project structure has leads (UNEP and IPEN) in selected ECOWAS countries. In parallel the ECOWAS commission is drafting a technical standard mandatory for all ECOWAS countries.

Question: Are there any considerations for other heavy metals that are commonly used in the formulation of paints and industrial coatings? E.g. Chromium, Molybdenum, Cadmium.

Answer: The Lead Paint Alliance focuses on lead in paint. However, governments often address other paint ingredients in addition to lead. The Alliance is not in a position to provide assistance on additional ingredients other than lead additives.

Question: How we can address the double standards in terms of lead content of some multinational paint companies in different countries? And country who regulate paint under 90 ppm in their own country but allow export paints containing lead above 90 ppm?

Answer: On the question of countries that regulate only the content of lead in paint for domestic sale, the Model Law recommends that national lead laws apply to all manufacturers, so this would include manufacture for export. However, this is an enforcement challenge – this is one of the reasons that the SAICM GEF project is so focused on getting as many countries as possible to pass similar legislation. Regarding the same corporation producing paint in some countries that contains lead, the challenge is how to hold them accountable if they are not violating the law in a country where they include lead additives. This again is why we focus on getting laws passed in as many countries as possible.

Answer: On the issue of potential double standards/different standards for one company, manufacturers are most competitive by producing paint with the lowest possible limit. Lowest levels maximize market opportunities: can be safely sold in any market.

Question: Is the 90 ppm guideline for all paints and coatings? Or are coatings presently excluded?

Answer: The 90ppm guideline is recommended in the Model Law for all paints and similar coating materials, so they are intended to be included.

Question: Any considerations for the prevention of corruption with domestic laboratory testing of compliance? Certification? Auditing?

Answer: Each country develops its own laboratory approach as appropriate in parallel with establishing a law. The Model Law recommends using ILAC member labs to reduce any issues.

Question: Are there examples of the Lead Paint Alliance assisting at lower levels of government (for example, if the responsible health and environment ministries are at the sub-national level)? Have you encountered or do you see problems with this approach?

Answer: The Alliance focuses on the Federal government level, as a lead paint limit is best applied and most broadly protective at this level.

Question: What are the provisions about the labeling requirement on each paint can in the model law? I think labeling of lead content and precautionary message of occupational lead exposure should be there on the paint can.

Answer: The model law recommends that a visible warning label be used when paint has been exempted from the lead limit, so that consumers are aware of the hazards.

Question: What is the alternative of pigment yellow 34 in road marking and it is cost is cheap, give the same properties of lead chromate pigments?

Answer: Inorganic pigments that could potentially substitute PY 34 or PR 104 are: Bismuth vanadate (PY 184), Mixed metal oxides (PY 53 and PBr 24), Iron Oxide Yellow (PY 42) and Iron Oxide Red (PR 101).

Answer: The technical guidelines have suggested alternatives.
http://www.saicm.org/Portals/12/Documents/GEF-Project/Lead-Paint/Lead_Paint_TG_Draft_25032019.pdf

Question: There should be no option for Lead Free Paint and Lead Paints. All Paints should be Lead Free. This should be made clear to participating countries. Those countries which do not have lead paint laws should be encouraged to enact laws.

Answer: The Alliance agrees that there is no need to add lead to paint. A limit of zero is not possible due to residual levels, as noted by Steve Sides. The Alliance encourages all countries to enact lead paint laws.

Comment: The Governments should adopt No Lead Paints in Government Establishments, Educational Institutions, Military & Police Establishments, Sports complexes etc.

Comment: To raise awareness on the importance of establishing lead paint laws and to promote government action on lead paint, please visit the WHO International Lead Poisoning Prevention Web site at <https://www.who.int/campaigns/international-lead-poisoning-prevention-week/2020> .

Closing Remarks: Overall Messages of the Webinar: Desiree Narvaez, UNEP

- UNEP thanked participants of the webinar and encouraged governments to take action to establish lead paint laws.

KEY LINKS AND INFORMATION:

- Link to Materials for the Lead Paint Alliance Global Webinar for Policymakers on Eliminating Lead in Paint through Regulatory Action on UNEP Lead Paint Alliance website: <https://www.unep.org/events/webinar/global-policymakers-webinar-eliminating-lead-paint-through-regulatory-action>
- Link to materials for the Lead Paint Alliance Global Paint Webinar for Paint Industry on Eliminating Lead Paint on UNEP Lead Paint Alliance website: <https://www.unep.org/events/webinar/global-webinar-paint-industry-eliminating-lead-paint>
- Latest status of lead paint laws, see the UNEP Lead paint law status map: <https://saicmknowledge.org/content/lead-paint-law-map>
- Information on testing: WHO's [Brief guide to analytical methods for measuring lead in paint](#)
- Importance of a low lead limit in paint: [WHO's Global elimination of lead paint: why and how countries should take action - Technical brief](#)
- Information on raising awareness: [WHO's Guidance on organizing an advocacy or awareness-raising campaign on lead paint](#)
- The Lead Paint Alliance: <https://www.unenvironment.org/explore-topics/chemicals-waste/what-we-do/emerging-issues/global-alliance-eliminate-lead-paint>
- Questions and Answers about Lead Paint and Lead Paint Laws: <https://www.unenvironment.org/explore-topics/chemicals-waste/what-we-do/emerging-issues/global-alliance-eliminate-lead-paint/faq>
- UNEP collaboration with NCPCs and IPEN on SME pilot demonstrations:

<http://www.saicm.org/Implementation/GEFProject/LeadinPaintComponent/Output11/tabid/7974/language/en-US/Default.aspx>

- UNEP's Draft Technical Guidelines on Paint Reformulation are available [here](#) in Arabic, Chinese, English and Spanish.
- IPEN's [Map of Lead Levels in Paint Around the World](#)
- UNEP [Model Law and Guidance for Regulating Lead Paint](#)
- Snapshot of existing lead paint limits established globally (as of September 2019): [UNEP Global Status of Legal Limits on Lead in Paint](#)

Appendix I: Agenda



Global Webinar for Paint Industry on Eliminating Lead in Paint

5 October 2020

15:00-17:00 (GMT +2)

WebEx

BACKGROUND:

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Government policymakers are critical to the development of lead paint laws. Given this, the Alliance is facilitating a global webinar for this key stakeholder group. The webinar will focus on information of interest to government policymakers considering or in the process of developing lead paint laws and to stakeholders engaged in that process.

OBJECTIVES:

The webinar aims to provide participants with:

- An understanding of why the elimination of lead paint is important
- An overview of the goal of the Lead Paint Alliance and how the SAICM Lead Paint project supports this goal.
- Guidance on how to draft lead paint regulations.
- Information on lead paint testing.
- Perspectives of industry and ideas on how best to work industry on lead paint regulation and reformulation efforts.

OPERATING DETAILS:

Webinar moderator

- Angela Bandemehr, U.S. EPA

Invited participants:

- Government policymakers;
- Other relevant stakeholders involved in lead paint law development;
- SAICM Lead Paint Project Partners: UNEP Regional Offices, WHO, International Pollutant Elimination Network (IPEN), the American Bar Association Rule of Law Initiative (ABA-ROLI), the U.S. Environmental Protection Agency, and the World Coatings Council

Working Language: English

AGENDA:

Presentation	Presenter	Time (GMT +2)	Available Background Materials
Opening Remarks	Desiree Narvaez, UNEP	15:00-15:05 (5 mins)	
Introduction: The Impacts of Lead Exposure and the Need for Regulation	Elena Jordan, WHO	15:05-15:20 (15 mins)	<ul style="list-style-type: none">• WHO <i>Global elimination of lead paint: why and how countries should take action</i> - Technical brief and Policy brief
Overview of Global Alliance to Eliminate Lead Paint and Global Status of Laws	Desiree Raquel Narvaez, UNEP	15:20-15:35 (15 mins)	<ul style="list-style-type: none">• Chemicals Without Concern Lead Paint Laws Map• WHO Lead Paint Laws Map• UNEP Global Status Update• IPEN Lead Paint Studies• IPEN Lead Paint Testing Map
Guidance for Developing Regulations on Lead Paint: The Model Law for Regulating Lead Paint	Amanda Rawls, ABA-ROLI	15:35-15:50 (15 mins)	<ul style="list-style-type: none">• UNEP Model Law and Guidance for Regulating Lead in Paint
The Model Law: Testing Requirements and Implications for Industry Compliance and Lab Capacity	Michael Cofield, U.S. Department of Commerce	15:50-16:05 (15 mins)	
Overview of Lead Paint Testing Methods	Elena Jordan, WHO	16:05-16:20 (15 mins)	<ul style="list-style-type: none">• WHO Brief guide to analytical methods for measuring lead in paint
Industry Perspective on the Elimination of Lead Paint	Steven Sides, WCC	16:20-16:35 (15 mins)	

Questions and Answers	All	16:35-17:00 (20 mins)	
Closing Remarks	Desiree Narvaez, UNEP	16:55-17:00 (5 mins)	