ELIMINATING LEAD PAINT: COMPLIANCE AND ENFORCEMENT ISSUES

BACKGROUND

The scientific and public health communities have long been aware of the risks associated with exposure to lead in paint. Nonetheless, countries around the world still lack laws geared towards addressing this issue, while others face difficulties in adequately enforcing them. In response, the Lead Paint Alliance has been formed as a voluntary partnership under auspices of the United Nations Environment Program (UNEP) and the World Health Organization (WHO) working with governments, civil society organizations, and paint companies from around the world. The Alliance has worked to produce and disseminate resources to help countries establish legal limits on lead in paint. In 2017, UNEP published a Model Law and Guidance for Regulating Lead Paint in response to requests from governments for legal drafting assistance. The Model Law is available in English, Arabic, Chinese, French, Russian and Spanish. Now that the Model Law is being utilized as a reference by countries across the globe, there is an opportunity for input from on-the-ground practitioners and policy-makers who can identify potential country-level issues, obstacles, and strategies for effective implementation. These two Compliance Conversations will invite practitioners, policymakers and experts in the field to interact directly with leading experts in the Lead Paint Alliance and brainstorm how to ensure the effectiveness of their initiatives.

THE ISSUE: THE NEED FOR LEGAL UPTAKE

The continued use of lead-containing paint for decorative and industrial purposes has been proven to have detrimental effects on public health and the environment. Lead exposure during childhood, in particular, has been shown to cause cognitive impairment such as lowered IQ, as well as decreased bone, liver, kidney, and nervous system functioning. In the environment, lead bioaccumulates in organisms, leading to significant damage over time. Health impacts due to exposure to lead also generates negative economic impacts, with one study estimating that the neurological impacts of lead exposure translate into $699.9 billion of economic losses in Asia alone. Globally lead paint is one of the major remaining sources of children’s exposure to lead.

At present, the primary obstacle to addressing this issue is the absence of national laws that limit lead content in paint, and, where such laws exist, ensuring effective enforcement. Despite the well-known risks associated with lead exposure and the availability of non-lead alternative ingredients for paints, over 100 countries have still not established laws to legally limit the lead content in paint. Many others have passed legal lead limits but have failed to effectively enforce them. To respond to this challenge, the Lead Paint Alliance is working in collaboration with the United States Environmental Protection Agency (US EPA) and other governments, and the American Bar Association Rule of Law Initiative (ABA ROLI) to create a legal support network to help countries with drafting of their lead paint laws, with reference to recommendations in the UNEP Model Law.
These Compliance Conversations are designed to serve as a collaborative opportunity to discuss the real world implications of adapting the text provided by the Model Law to different legal systems in countries around the world, and then effectively implementing these laws.

**THE DISCUSSION: STEPS FORWARD**

The Compliance Conversations will take place on [dates/times/call-in info]. Speakers from UNEP, US EPA, and [ABA ROLI] will provide an introduction to the Lead Paint Alliance and the Model Law and some of the compliance and enforcement issues that have been raised in recent workshops organized by UNEP and WHO.

Please review the compliance provisions of the Model Law prior to the Conversations, particularly Section D (Declarations of Conformity) and Section F (Prohibited Acts).

1. Do you foresee any obstacles to implementing the compliance provisions of the Model Law?
2. For example, will requiring that paint manufacturers and importers submit declarations of conformity be an effective method of putting the burden of demonstrating compliance on companies producing paint?
3. Will providing inspection authority empower governments to ensure that companies are meeting their legal obligations?
4. What other needs does your country have in order to effectively phase out lead paint?

**RESOURCES**