



**THE FIRST SESSION OF THE
INTERGOVERNMENTAL NEGOTIATING
COMMITTEE FOR AN INTERNATIONAL
LEGALLY BINDING INSTRUMENT FOR
IMPLEMENTING INTERNATIONAL ACTION ON
CERTAIN PERSISTENT ORGANIC
POLLUTANTS:
29 JUNE–3 JULY 1998**

The first session of the Intergovernmental Negotiating Committee (INC-1) for an International Legally Binding Instrument for Implementing International Action on Certain Persistent Organic Pollutants (POPs) will meet from 29 June–3 July 1998 in Montreal, Canada. Representatives of over 100 governments will negotiate an international agreement to minimize emissions and releases of POPs such as DDT and PCBs into the environment. The negotiations will also address the accumulation of unwanted and obsolete stockpiles of pesticides and toxic chemicals, particularly in developing countries.

The INC will focus on a list of twelve POPs grouped into three categories: 1) pesticide POPs: aldrin, chlordane, DDT, dieldrin, endrin, heptachlor, mirex and toxaphene; 2) industrial chemical POPs: hexachlorobenzene and polychlorinated biphenyls (PCBs); and 3) POPs that are unintended byproducts: dioxins and furans. An expert group to develop science-based criteria for identifying other POPs that may require international action is also expected to be established. On the afternoon of Sunday, 28 June, UNEP Chemicals held an information briefing in order to inform participants about the environmental and human health problems and the global issues associated with POPs, as well as related national and international efforts to address them.

A BRIEF HISTORY OF THE POPs NEGOTIATIONS

Growth in the use of certain chemicals in industry or as pesticides increased dramatically during the 1960s and 1970s. Many of these chemicals are important to modern society but can also pose a serious threat to human health and the environment. In particular, a certain category of chemicals known as POPs has recently attracted international attention. POPs are chemical substances that are persistent,

bioaccumulate and pose a risk of causing adverse effects to human health and the environment. A growing body of scientific evidence indicates that exposure to very low doses of certain POPs - which are among the most toxic substances ever created - can lead to cancer, damage to the central and peripheral nervous systems, diseases of the immune system, reproductive disorders, and interference with normal infant and child development. With the further evidence of the long-range transport of these substances to regions where they have never been used or produced and the consequent threats they now pose to the environment worldwide, the international community has called for urgent global action to reduce and eliminate their release into the environment.

Prior to 1992, international action on chemicals primarily involved developing tools for risk assessment and conducting international assessments of priority chemicals. For example, in 1989 UNEP amended their London Guidelines for the Exchange of Information on Chemicals on International Trade and the FAO established the International Code of Conduct for the Distribution and Use of Pesticides. Agenda 21, adopted at the 1992 UN Conference on Environment and Development, included Chapter 19 on the "Environmentally Sound Management of Toxic Chemicals Including Prevention of Illegal International Traffic in Toxic and Dangerous Products," which called for the creation of an Intergovernmental Forum on Chemical Safety (IFCS). The Inter-Organization Programme on the Sound Management of Chemicals (IOMC) was also established to promote coordination among international organizations involved in implementing Chapter 19.

In March 1995, the UNEP Governing Council (GC) adopted Decision 18/32 and invited the IOMC, together with the International Programme on Chemical Safety (IPCS) and the IFCS, to initiate an assessment process regarding a short-list of 12 POPs, taking into account the circumstances of developing countries and countries with economies in transition. The assessments of the chemicals were to include available information on their chemistry, sources, toxicity, environmental dispersion and socio-economic impacts. The IFCS was further invited to develop recommendations and information on international action to be considered by the 1997 sessions of the UNEP GC and the World Health Assembly (WHA). In response to this invitation,

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UNEP convened an Ad Hoc Working Group on POPs that developed a workplan for the assessment of these 12 substances, which was subsequently adopted by the second meeting of the Inter-Sessional Group (ISG2) of IFCS in March 1996, held in Canberra, Australia.

The Ad Hoc Working Group reported to the IFCS meeting of June 1996 in Manila, the Philippines. The meeting concluded that sufficient information existed to demonstrate that international action, including a global legally binding instrument, is required to minimize the risks from 12 specified POPs through measures to reduce and/or eliminate their emissions and discharges. Consequently, IFCS recommended to the UNEP GC and the WHA that immediate international action should be taken.

In February 1997, the UNEP GC adopted Decision 19/30C endorsing the conclusions and recommendations of the IFCS. The GC requested that UNEP, together with relevant international organizations, prepare for and convene an intergovernmental negotiating committee with a mandate to prepare an international legally binding instrument for implementing international action, beginning with the 12 specified POPs. The first meeting of the INC was also requested to establish an expert group for the development of science-based criteria and a procedure for identifying additional POPs as candidates for future international action. Also in February 1997, the second meeting of the IFCS, held in Ottawa, Canada, decided that the IFCS Ad Hoc Working Group would continue to assist in the preparations for the negotiations. In May 1997, the WHA endorsed the recommendations of the IFCS and requested that the WHO participate actively in negotiations of the international instrument. Most recently, the UNEP GC, held in May 1998, again highlighted the beginning of the UNEP POPs negotiations.

RECENT MEETINGS RELATED TO POPs

A number of recent meetings have addressed issues related to the POPs INC agenda.

In June 1995, Parties to the Barcelona Convention for the Protection of the Mediterranean Sea against Pollution agreed to the Barcelona Resolution which aims to reduce by the year 2005 and gradually eliminate discharges and emissions of substances that could reach the marine environment and that are toxic, persistent and liable to bioaccumulate.

An "International Expert Meeting on Persistent Organic Pollutants: Towards Global Action," jointly organized by Canada and the Philippines, was held in Vancouver, Canada, in June 1995. The meeting concluded that domestic regulatory arrangements are not effective in managing the adverse global impacts of POPs and requested that a suitable international agency provide definitions, criteria and a comprehensive list of POPs.

The Intergovernmental Conference to Adopt the Global Programme of Action for the Protection of the Marine Environment from Land-Based Activities (GPA) took place in Washington D.C. in November 1995. Over 108 governments declared, *inter alia*, their support for the development of a legally binding instrument to reduce or eliminate the discharge, manufacture, and use of 12 POPs.

During 1997 and 1998, UNEP and IFCS conducted eight regional and sub-regional joint awareness raising workshops on the risks and global issues associated with POPs, particularly for developing countries and countries with economies in transition.

In March 1998, representatives from 95 governments completed negotiations for an international legally binding Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (PIC Convention). The PIC principle states that export of dangerous chemicals and pesticides should not proceed unless explicitly agreed by the importing country. The major aim is to promote a shared responsibility between exporting and importing countries in protecting human health and the environment from the harmful effects of certain hazardous chemicals being traded internationally. This Convention will be adopted and opened for signature at a Diplomatic Conference to be held in Rotterdam, the Netherlands, in September 1998.

Under the auspices of the UN Economic Commission for Europe (UN/ECE), the Convention on Long-Range Transboundary Air Pollution (LRTAP) recently concluded negotiations for a protocol on 16 POPs. On 24 June 1998, 32 countries and the European Community signed the protocol, which aims to control, reduce or eliminate discharges, emissions and losses of persistent organic pollutants within the countries of the ECE area. The protocol bans the production and use of some products outright (aldrin, chlordane, chlordecone, dieldrin, endrin, hexabromobiphenyl, mirex, toxaphene); schedules others for elimination at a later stage (DDT, heptachlor, hexachlorobenzene, PCBs); and severely restricts the use of DDT, HCH (including lindane), and PCBs. It also obliges countries to reduce their emissions of dioxins, furans, PAHs and HCB below their 1990 levels and provides for best available techniques to cut emissions of these POPs.

THINGS TO LOOK FOR TODAY

PLENARY: The first meeting of the POPs INC will be held at 10:00 am in the International Civil Aviation Organization building. Participants are expected to hear opening remarks by UNEP Executive Director Klaus Töpfer as well as welcoming addresses by Ms. Christine Stewart, Minister of the Environment, Canada, and Mr. Jacques Yves Therrien, Sous-ministre de la Metropole, Quebec. The INC will also elect a bureau and a Chair for the duration of the negotiations.

Delegates should also note that on Wednesday, 1 July (Canada Day), the INC will meet from 9:00 am until 2:00 pm. On Friday, 3 July, the INC will commence at 9:00 am, rather than 10:00 am.