



## POPS INC-1 HIGHLIGHTS TUESDAY, 30 JUNE 1998

On the second day of 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), delegates met in Plenary to hear position statements and to begin consideration of the work programme, the creation of subsidiary bodies and the inclusion of possible substantive articles.

### PLENARY

**POSITION STATEMENTS:** Many delegates emphasized, *inter alia*: the development of financial mechanisms; institutional and technical capacity building; training in management of existing POPs; monitoring the use of POPs; developing alternatives; transfer of technology and knowledge; and financial and technical assistance for implementation and management of POPs for developing countries and countries with economies in transition.

The INTERNATIONAL COUNCIL OF CHEMICAL ASSOCIATIONS (ICCA), speaking on behalf of industry organizations involved in the POPs INC, stated their support for the development of a convention. He stressed: identification of POPs must be based only on well defined scientific criteria; any classification of a substance warranting management action must be based on risk assessment; availability of risk management options to reduce risks to an acceptable level; and the scope of the convention not be expanded beyond the 12 POPs until science-based criteria and procedures for adding other substances are agreed.

COLOMBIA, NIGERIA and EL SALVADOR supported the creation of an open-ended expert group for establishing criteria for additional POPs. COLOMBIA and the US called for different approaches to the three POPs categories. COLOMBIA and INDIA called for the phaseout of the 12 POPs on a gradual and sustainable basis.

INDIA noted that pesticides and chemicals degrade differently in varying climates and stressed the necessity of studying the behavior of POPs under different environmental conditions. INDIA and BANGLADESH said that due consideration should be given to the economic viability of alternatives to POPs for developing countries and countries with economies in transition.

The US called for, *inter alia*: science to remain the guiding principle as the negotiations progress; an open and transparent process that engages the participation of all stakeholders; UNEP to consider POPs

alternatives, noting that industry has developed alternatives to the POPs under consideration; and greater attention to public health concerns when considering alternatives.

BANGLADESH supported the involvement of NGOs and called for protection of the knowledge and lifestyles of indigenous and local communities. NIGERIA and SENEGAL called for increased financial support for developing country participation in the negotiations. NIGERIA supported the precautionary approach and the identification of criteria not only using scientific means. EGYPT, EL SALVADOR and JORDAN said that producers and traders are primarily responsible for the existence of POPs and they therefore bear the primary responsibility for them.

KENYA emphasized, *inter alia*: the special needs and requirements of individual countries that still use some POPs to combat disease; expansion of the POPs list based on the precautionary principle; and elimination or reduction bearing in mind the limited capacity of developing countries. The GAMBIA emphasized phasing out POPs, called for inventories and stressed networking at the sub-regional level. ETHIOPIA also stressed phasing out POPs, taking into account the economy of each country. KUWAIT called for exchange of technology and information. MALAWI emphasized the existence of stockpiles, the continued importation of POPs and the lack of expertise for disposal. MALI emphasized the importance of pesticides in fighting diseases and called on developed countries to identify alternatives. JORDAN called for governments to include restrictive clauses in their national legislation to ban the use of POPs and for assistance to developing countries to establish such legislation. GUINEA said the convention should increase public awareness and provide for managing emergencies in the field.

The WORLD HEALTH ORGANIZATION (WHO) stressed phasing out POPs through the provision of alternatives, acknowledged the need to use DDT in particular cases but opposed its use by the private sector, maintained that the struggle against malaria should be a priority, and noted efforts to reduce reliance on DDT.

The ARAB LEAGUE EDUCATIONAL CULTURAL AND SCIENTIFIC ORGANIZATION (ALECSO) stressed the concerns of developing countries regarding POPs and the importance of creating internationally binding provisions. GREENPEACE INTERNATIONAL emphasized that injury due to POPs is not limited to the Arctic but is also found near and far from sources and that regional actions are also important. He stressed that capacity and finance issues must be addressed and that POPs pose unmanageable risks and therefore must be eliminated. On the question of criteria, he urged the INC to establish an open and transparent process based on science rather than politics. The WORLD FEDERATION OF PUBLIC HEALTH

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ASSOCIATIONS noted that phasing out POPs is a difficult goal that requires a just transition and protection of the welfare of those involved in POPs production and use. The FOOD AND AGRICULTURE ORGANIZATION (FAO) invited the INC to draw on the expertise of the FAO in integrated pest management and with respect to the inclusion of other POPs that are pesticides.

#### **WORK PROGRAMME OF THE INC**

Delegates also considered the INC's work programme, including the creation of subsidiary bodies. Jim Willis, UNEP Chemicals, outlined the documents used as the basis for discussion: UNEP/POPS/INC.1/4 on possible substantive articles and UNEP/POPS/INC.1/5 on possible final provisions of a draft instrument.

**ESTABLISHMENT OF SUBSIDIARY BODIES:** INDIA noted that the Asia-Pacific Group supported the establishment of a financial and technical assistance group. Several delegations, including the REPUBLIC OF KOREA, the CZECH REPUBLIC, ETHIOPIA and the UK, on behalf of the EC, proposed that an initial discussion about substantive articles should take place in Plenary and then appropriate bodies could be established. The UKRAINE suggested the creation of a single subsidiary body that would consider substantive articles. POLAND proposed that a variety of groups should be created on different topics. NEW ZEALAND, supported by the UK on behalf of the EC, proposed the creation of three subsidiary bodies.

On the mandate given to the INC to form an expert group to develop science-based criteria and a procedure for identifying additional POPS, the Chair invited delegates to form an open-ended contact group to discuss the operation of the expert group. Relevant details for discussion included the expert group's terms of reference, costs, formula for participation, and recommendations for a work programme. Many delegates expressed their desire to participate in the contact group and the GAMBIA accepted an invitation to chair the contact group.

#### **POSSIBLE SUBSTANTIVE ARTICLES OF A DRAFT**

**INSTRUMENT:** On possible measures to reduce and/or eliminate releases of POPs into the environment, ICELAND, supported by NORWAY, noted that the instrument should consider all sources of POPs releases and said there should be attention to regional and sub-regional cooperation. The REPUBLIC OF KOREA noted that the question of regulation should include trade and sales of these substances. Several delegates, including SWAZILAND, SPAIN and the US, highlighted the need for information about the categorization, production, use, stockpiles and existing releases of the 12 POPs. GREENPEACE supported SPAIN concerning strong provisions for inventory and reporting measures, and called for public access to this information. The GAMBIA said that issues of elimination should be expanded to include distribution, storage and disposal. GREENPEACE said that any terminology regarding "release reduction provisions" is inadequate since the goal is complete elimination.

Regarding management and disposal of stockpiles, TUNISIA said disposal should either be part of a long-range programme within the framework of the convention or responsibility should rest with producers. The Regional Organization for the Protection of the Marine Environment (ROPME) said that all types of disposal of POPs should be addressed, not solely stockpiles.

THAILAND and ROPME proposed an article on national focal points, which would have the responsibility for reporting and for implementation of the convention. MEXICO said the use of national focal points and designated national authorities would not be necessary if the convention is limited to the elimination of production and/or use.

CANADA, supported by POLAND, suggested several areas where work could begin: assistance issues; destruction of stockpiles; reduction and elimination of the 12 POPs, specifically identifying inventories, addressing the cost of destroying POPs and eliminating

emissions; and identifying criteria and procedures. POLAND proposed an article to regulate the phaseout period of the 12 POPs. ETHIOPIA, THAILAND and GREENPEACE proposed the addition of an article on liability and compensation.

On information exchange, THAILAND, supported by ITALY, requested clarification as to who will provide for the exchange of information. On public information, awareness and education, INDIA stressed education at the grassroots level with respect to the dangers and implications of using POPs.

On research, development and monitoring, THAILAND stressed the importance of monitoring as opposed to research and CHILE stressed studying differing national technical capacities. The DOMINICAN REPUBLIC noted that many developing countries lack adequate product management and, with the GAMBIA, implored that transfer of technology be actively carried out, particularly technology to facilitate elimination and destruction of products. The GAMBIA, supported by INDIA, said research should address alternatives. COLOMBIA emphasized technical assistance and financial resources for, *inter alia*, establishing control programmes, accessing viable alternatives and developing mechanisms for technology transfer. ETHIOPIA requested inclusion of indigenous knowledge when discussing alternatives. ROPME stressed: utilizing existing infrastructures at the regional level to carry out activities; action programmes at the international, regional and national levels; and including capacity building when discussing technical assistance. The US stressed harmonization with the PIC Convention and said that the INC should promote utilization of untapped sources of information.

CHINA emphasized the need for technical assistance, financial resources and mechanisms, and the need for capacity building if countries are to show responsibility. SPAIN highlighted that alternatives could come from countries other than the usual developed nations and that mechanisms to facilitate flow in this direction should also be envisaged. UNITED NATIONS INDUSTRIAL DEVELOPMENT ORGANIZATION (UNIDO) and EGYPT stressed the need to consider differences between the assistance given to developed and developing countries.

Referring to the provisions on public information, awareness and education and on research, development and monitoring, the WOMEN'S ENVIRONMENT AND DEVELOPMENT ORGANIZATION (WEDO) underscored the importance of giving special attention to gender sensitivity.

#### **IN THE CORRIDORS**

As delegates began to tackle the substantive issues relating to drafting a POPs convention, there were hopes that appropriate subsidiary bodies of the INC could be established by the end of the week. More controversial, however, was the mandate and composition of the contact group on criteria; some developing country delegates expressed concern that concurrent meetings would tax their limited resources.

#### **THINGS TO LOOK FOR TODAY**

**PLENARY:** The Plenary will convene at 9:00 am to continue deliberation on the work programme of the INC.

**CONTACT GROUP:** The contact group on criteria and terms of reference will meet at 9:00 am in Room 5 to begin work on a short document for presentation to the Plenary on Thursday.

Today's session will end at 2:00 pm as it is a national holiday in Canada.