



POPS INC-1 HIGHLIGHTS WEDNESDAY, 1 JULY 1998

On the third 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 continued to meet in Plenary and discussed the compilation by the Secretariat of a second draft on possible substantive articles; the forum for future negotiations; financial aspects, including technical cooperation and assistance; and information exchange mechanisms. A contact group to determine terms of reference for the expert group on development of criteria and procedure for identifying additional POPs was also convened.

PLENARY

Delegates agreed the Secretariat would prepare a second draft of possible substantive articles of a draft POPs convention for INC-2, incorporating the views expressed in Plenary concerning the proposed articles outlined in document UNEP/POPS/INC.1/4, proposals for additional articles, and written government submissions received by 1 September 1998. Delegates also discussed the forum for future negotiations, in particular whether delegates would convene in Plenary or in parallel with meetings of subsidiary bodies that may be established. Some delegations noted that countries with small delegations would have difficulty participating effectively if parallel meetings were established. Delegates agreed to remain in Plenary for the duration of INC-1, and possibly for INC-2 as well. It was decided that contact groups could be convened as needed to address technical issues or to resolve differences.

Deliberations then turned to financial aspects, including technical cooperation and assistance. Several delegations, including NEW ZEALAND, AUSTRALIA and COLOMBIA, called for an information paper from the Secretariat on existing programmes of assistance. The REPUBLIC OF KOREA and SPAIN called for cost estimates for various disposal options. CHINA requested from the Secretariat a list of contributions from financial mechanisms in other conventions in order to ascertain potential contributions. ETHIOPIA stressed that financial resource requirements extend beyond destruction of stockpiles to capacity building and training. Supporting ETHIOPIA, IRAN added replacement of chemicals to such considerations. SENEGAL identified the potential relevance of the funding arrangements of other Conventions. GUINEA suggested financial assistance should encompass the strengthening of risk management. COLOMBIA supported a list of existing financial models to help determine needs. INDIA

stressed the difficulties and implications for industries manufacturing and distributing POPS and the value of providing compensation to ensure such activity stops, and, supported by MALI, BENIN and CHAD, stressed the need for financial assistance for education and presentations on dangers and available alternatives.

INDONESIA stressed its current lack of an integrated system for management of chemicals and its need for information on funding sources to facilitate capacity building and coordinated management. SWAZILAND called for a fund under this convention for implementing basic requirements such as establishing a country programme. BENIN stressed the importance of research in considering alternatives. The FOOD AND AGRICULTURE ORGANIZATION (FAO) noted that it is not a funding organization, but on technical assistance identified some potential for future arrangements with the convention. COTE D'IVOIRE stressed that funds are necessary to allow states to evaluate levels of concentration. AUSTRALIA supported capacity building for developing countries and use of the various financial opportunities from regional, bilateral and multilateral sources. THAILAND, stressing the potentially unique nature of this convention and identifying significant differences between countries in costs of living and income, proposed that POPs-exporting countries bear the greater burden. VIETNAM stressed the importance of public information on toxicity and a POPs inventory for developing countries. ETHIOPIA highlighted the costs of alternatives, especially for DDT, and the need for financial support. NIGER, supported by BURKINA FASO, stressed information and consciousness raising, particularly among customs and excise services. INDIA stressed technical assistance in terms of technology for manufacturing alternatives. KUWAIT stressed funding according to capacity and ability within regions. BURKINA FASO, supported by BENIN, emphasized funding to support programmes on stockpile elimination and public information.

EGYPT emphasized the need for information and support from industrialized countries on a regional basis to address common regional problems. ZAMBIA, supported by WORLD WILDLIFE FUND (WWF), supported the "polluter-pays principle." UNITED NATIONS INDUSTRIAL DEVELOPMENT ORGANIZATION (UNIDO) emphasized the general need for mobilizing financial resources whatever the methods to be adopted for elimination. The GEF identified a window for assistance through its programme on contamination, but only as relevant to international waters. BURUNDI stressed financial support for addressing repercussions of chemicals withdrawn from the market.

This issue of the *Earth Negotiations Bulletin* © <enb@iisd.org> is written and edited by Richard Campbell <richcam@hotmail.com>, Jonathan Krueger <jkrueger@iisd.org>, Leila Mead <leila@interport.net> and Tiffany Prather <trather@iisd.org>. The Editor is Pamela Chasek, Ph.D. <pam@iisd.org> and the Managing Editor is Langston James "Kimo" Goree VI <kimo@iisd.org>. The Sustaining Donors of the *Bulletin* are the Netherlands Ministry for Development Cooperation, the Government of Canada (through CIDA) and the United States (through USAID). General Support for the *Bulletin* during 1998 is provided by the United Kingdom Department for International Development (DFID), the German Federal Ministry of Environment (BMU), the Danish Ministry of Foreign Affairs, the Swiss Office for Environment, Forests and Landscape, the European Community (DG-XI), the Ministries of Environment and Foreign Affairs of Austria, the Ministries of Foreign Affairs and Environment of Norway, the United Nations Development Programme (UNDP), the Global Environment Facility (GEF) and the Ministry for the Environment in Iceland. The *Bulletin* can be contacted by e-mail at <enb@iisd.org> and at tel: +1-212-644-0204; fax: +1-212-644-0206. IISD can be contacted by e-mail at <info@iisd.ca> and at 161 Portage Avenue East, 6th Floor, Winnipeg, Manitoba R3B 0Y4, Canada. The opinions expressed in the *Earth Negotiations Bulletin* are those of the authors and do not necessarily reflect the views of IISD and other funders. Excerpts from the *Earth Negotiations Bulletin* may be used in non-commercial publications only and only with appropriate academic citation. For permission to use this material in commercial publications, contact the Managing Editor. Electronic versions of the *Bulletin* are sent to e-mail distribution lists and can be found on the Linkages WWW server at <http://www.iisd.ca/linkages/>. The satellite image was taken above New York City (c)1998 The Living Earth, Inc. <http://livingearth.com>. For information on the *Earth Negotiations Bulletin*, send e-mail to <enb@iisd.org>.



CHINA expressed its support for the GEF presentation with regard to its assistance on POPs in international waters, but said POPs involves other issues such as capacity building, public awareness and searching for alternatives, and affects not only water but also air, land and the health of human beings.

WWF noted the Intergovernmental Panel on Forests' establishment of intersessional satellite meetings co-sponsored by developed and developing countries as an example of a facilitating mechanism. The WORLD HEALTH ORGANIZATION (WHO) outlined four possible cost categories in relation to assistance contained in its position paper on the phaseout of DDT in countries that rely on it for malaria control, and said the WHO would further elaborate these categories in preparation for INC-2.

Based on these discussions, the Secretariat was requested to prepare three papers for INC-2 on: existing financial mechanisms and what is financed through them, bilateral activities to support chemicals management and other sources of funding such as the GEF, World Bank, UNDP and regional mechanisms; the cost of assistance for awareness raising, databases, developing inventories, research, alternative chemicals and technologies and technology transfer, considering the different circumstances and socio-economic factors of countries; and models of financial mechanisms that are currently in use.

A subsidiary body on technical and financial assistance, likely to be chaired by Maria Cristina Cardenas Fischer (Colombia), was established and will meet from INC-2 through INC-4. The US stressed a broader package of implementation issues for the subsidiary body to address, including consideration of national experiences thus far in controlling chemicals and the exchange of information. He also proposed co-chairs for this group.

With respect to additional information on substances, the US stressed obtaining as much information as possible in the negotiations and mentioned the Montreal Protocol as a model for this. CHILE highlighted that not all countries are starting on equal footing and, with the GAMBIA, proposed regional information laboratories. EL SALVADOR and ETHIOPIA proposed drawing upon existing information infrastructures such as those in the Basel and PIC Conventions. COLOMBIA advocated moving away from incineration technologies, and suggested mechanisms to identify alternatives and costs and to exchange information at the global level. UNIDO, as an implementing agency of the Montreal Protocol, offered its services. Finally, a contact group was established to consider the potential information needs of the INC.

CONTACT GROUP

A contact group chaired by Ndoye Fatoumata Jallow (the Gambia) discussed draft terms of reference for the criteria expert group (CEG) on development of criteria and procedure for additional POPs as mandated by UNEP Governing Council Decision 19/13C, paragraph 9. In the morning session, discussions were based on a first draft of terms of reference prepared by the Secretariat. The afternoon session considered a revised draft of the terms of reference incorporating the morning's discussions and proposals.

Delegates agreed to carry out the mandate of the CEG as specified in Decision 19/13C, paragraph 9. Delegates agreed the CEG would be an open-ended Technical Working Group with a mandate to prepare and present to the INC proposals for science-based criteria and a procedure for identifying additional POPs as candidates for future international action. A number of delegates suggested that criteria and procedure be only for identifying possible additional POPs, rather than adding them. Delegates agreed that the objective of the CEG to develop criteria and procedure be completed at or before INC-4.

On the question of participation, the Secretariat noted that the costs of these meetings should be considered if they are held intersessionally. Several delegations proposed that governments be able to designate as many experts as they wish because different POPs require different expertise, though others cautioned that the CEG must also be a manageable size. One delegate proposed establishing a core group that would be representative of the five regions to ensure regional networking, but the contact group decided that language encouraging broad regional representation was sufficient and that a country could represent a region at the CEG with prior agreement by that region.

Regarding the convening of the CEG, some delegates suggested that for logistical purposes and to ensure broad representation for those lacking funds, the group should meet the week before the INC, although the importance of preparing a report well in advance for review by members of the INC was also stressed. Text was incorporated to reflect proposals that the CEG will meet prior to the second session of the INC and that subsequent meetings will be decided on by the INC.

The group also agreed that a full bureau was not needed as the CEG is a technical body. It was decided that the bureau would consist of co-chairs and a rapporteur to be elected by the INC. One delegate asked for clarification that this election would take place at INC-1. Delegates agreed that UNEP will provide the Secretariat for the CEG.

Regarding proposals and recommendations to the INC, delegates decided that the CEG should make every effort to reach agreement on recommendations by consensus among participating governments. If consensus cannot be reached, all proposals by participating governments shall be reflected in a report to be submitted to the INC. Some delegations distinguished between substantive decisions and administrative and procedural decisions and said the CEG should not get bogged down with procedure or it would be unable to fulfil its mandate. Delegates agreed that the rules of the INC would apply to the procedural matters of the CEG.

Delegates agreed the agenda of the CEG will be prepared by the Secretariat in consultation with the Bureau of the group and must be made available to all INC participants at least six weeks before a CEG meeting. The contact group agreed to consider and adopt reports at each meeting to be circulated to all CEG and INC participants. English, French and Spanish were chosen as the working languages of the CEG.

A number of delegates also stressed the need to include specific reference to GC Decision 19/13C in the mandate to give a strong anchor to the terms of reference. The draft terms of reference were forwarded to the Plenary for consideration.

IN THE CORRIDORS

Many delegates were pleasantly surprised that INC-1 seemed to be proceeding smoothly and quickly. One in particular felt that this process was moving more quickly than the beginning of the negotiations of the PIC Convention.

THINGS TO LOOK FOR TODAY

PLENARY: The Plenary will convene at 11:30 am to continue deliberation on the work programme of the INC.

REGIONAL GROUPS: Regional groups will also meet in the morning in advance of the Plenary session.