

SECOND MEETING OF THE CONFERENCE OF THE PARTIES TO THE STOCKHOLM CONVENTION: 1-5 MAY 2006

The second Conference of the Parties (COP-2) to the Stockholm Convention on Persistent Organic Pollutants (POPs) convenes today at the Geneva International Conference Centre, in Geneva, Switzerland. The objective of this meeting is to adopt decisions related to: evaluation of the continued need for DDT for disease vector control and alternative strategies to replace DDT; criteria for the review process for entries in the register of specific exemptions; guidelines on best available techniques (BAT) and provisional guidance on best environmental practices (BEP); and identification and quantification of dioxin and furan releases. Other issues to be addressed by the COP include: guidance for national implementation plans; the Persistent Organic Pollutants Review Committee (POPRC) and relevant developments for action to be taken by the COP; guidance on technical assistance; regional and subregional centers for capacity building and transfer of technology; the report of the Global Environment Facility on its activities and other issues related to the financial mechanism; procedures and institutional mechanisms for determining non-compliance and for treatment of Parties found to be in non-compliance; issues relating to liability and redress; and adoption of the budget for the Secretariat. Other matters scheduled for discussion include enhancing synergies within the chemicals and waste cluster, and reviewing a study on improving cooperation and synergies between the secretariats of the Basel, Rotterdam and Stockholm Conventions.

The Stockholm Convention entered into force on 17 May 2004. The Convention currently has 122 parties, including 121 states and the European Community.

A BRIEF HISTORY OF THE STOCKHOLM CONVENTION

During the 1960s and 1970s, the use of chemicals and pesticides in industry and agriculture increased dramatically. In particular, a category of chemicals known as POPs attracted international attention due to a growing body of scientific evidence indicating that exposure to very low doses of POPs 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. POPs are chemical substances that persist, bioaccumulate in living organisms, and pose a risk of causing adverse effects to human health and the environment. With 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 pose to the environment worldwide, the international community called for urgent global action to reduce and eliminate their release into the environment.

In March 1995, the UNEP Governing Council (GC) adopted decision 18/32 inviting the Inter-Organization Programme on the Sound Management of Chemicals (IOMC), the Intergovernmental Forum on Chemical Safety (IFCS) and the International Programme on Chemical Safety to initiate an assessment process regarding a list of 12 POPs. In response, the IFCS convened an *Ad Hoc* Working Group on POPs, which developed a workplan for assessing available information on the chemistry, sources, toxicity, environmental dispersion and socioeconomic impacts of the 12 POPs.

In June 1996, the *Ad Hoc* Working Group convened a meeting of experts in Manila, the Philippines, and concluded that sufficient information existed to demonstrate the need for international action to minimize risks from the 12 POPs, including a global legally binding instrument. The meeting forwarded a recommendation to the UNEP GC and the World Health Assembly (WHA) that immediate international action be taken on the 12 POPs. In February 1997, the UNEP GC adopted decision 19/13C endorsing the conclusions and recommendations of the IFCS. The GC requested that UNEP, together with relevant international organizations, convene an intergovernmental negotiating committee (INC) with a mandate to develop, by the end of 2000, an international legally binding instrument for implementing international action, beginning with the list of 12 POPs. Also in February 1997, the second meeting of the IFCS decided that the *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 World Health Organization (WHO) participate actively in the negotiations.

NEGOTIATION OF THE CONVENTION: The first session of the Intergovernmental Negotiating Committee (INC-1) was held from 29 June to 3 July 1998, in Montreal, Canada. INC-1 requested the Secretariat to prepare a document containing material for possible inclusion in an international legally binding instrument. The second session of the INC was held from 25-29 January 1999, in Nairobi, Kenya, where participants discussed a Secretariat-prepared outline of a convention text. The third session of the INC met from 6-11 September 1999, in Geneva, Switzerland, with delegates considering the revised draft text. They adopted a procedure establishing a review committee to apply screening criteria

and to prepare a risk profile and risk management evaluation for proposed substances as a basis for further negotiation. The fourth session of the INC met from 20-25 March 2000, in Bonn, Germany. Delegates drafted articles on technical assistance and on financial resources and mechanisms, addressed control measures, and made some headway on language on unintentionally produced POPs. The fifth session of the INC met from 4-10 December 2000, in Johannesburg, South Africa, with delegates concluding negotiations on the convention in the early morning hours of Saturday, 10 December.

CONFERENCE OF PLENIPOTENTIARIES ON THE STOCKHOLM CONVENTION: The Conference of the Plenipotentiaries convened from 22-23 May 2001, in Stockholm, Sweden. During the Diplomatic Conference, delegates adopted: the Stockholm Convention; resolutions adopted by INC-4 and INC-5 addressing interim financial arrangements and issues related to the Basel Convention; resolutions forwarded by the Preparatory Meeting; and the Final Act.

The Stockholm Convention calls for international action on 12 POPs grouped into three categories: 1) pesticides: aldrin, chlordane, DDT, dieldrin, endrin, heptachlor, mirex and toxaphene; 2) industrial chemicals: hexachlorobenzene (HCB) and polychlorinated biphenyls (PCBs); and 3) unintentionally produced POPs: dioxins and furans. Governments are to promote BAT and BEP for replacing existing POPs while preventing the development of new POPs. Provision has also been made for a procedure identifying additional POPs and the criteria to be considered in doing so.

Key elements of the treaty include: the requirement that developed countries provide new and additional financial resources; measures to eliminate production and use of intentionally produced POPs, eliminate unintentionally produced POPs, where feasible, and manage and dispose of POPs wastes in an environmentally sound manner; and substitution involving the use of safer chemicals and processes to prevent unintentionally produced POPs. Precaution is operationalized throughout the Stockholm Convention, with specific references in the preamble, the objective and the provision on identifying new POPs.

INC-6: INC-6 met from 17-21 June 2002, in Geneva, Switzerland. Delegates adopted decisions on: DDT and the register of specific exemptions; the POPs Review Committee; a clearing-house mechanism; technical assistance; financial resources and mechanisms and the interim financial mechanism; regional and subregional centers for capacity building and technology transfer; effectiveness evaluation; and non-compliance. INC-6 also established an Expert Group on BAT and BEP.

INC-7: The seventh session of the Intergovernmental Negotiating Committee (INC-7) was held from 14-18 July 2003, in Geneva, Switzerland. Delegates focused on addressing a number of "housekeeping" issues in preparation for the first COP. Decisions were adopted on, *inter alia*: offers to host the permanent Secretariat; technical assistance; national implementation plans; exempted use; party reporting; specific exemptions; DDT; interim financial arrangements; a standardized toolkit for the identification and quantification of dioxin and furan releases; measures to reduce or eliminate releases from stockpiles and wastes; effectiveness evaluation; the budget; and the financial mechanism.

COP-1: The first Conference of the Parties (COP-1) to the Stockholm Convention was held from 2-6 May 2005, in Punta del Este, Uruguay. To set the Convention's implementation in motion, delegates adopted a broad range of decisions related to: providing for the evaluation of the continued need for DDT use for disease vector control; establishing a review process

for entries in the register of specific exemptions; adopting guidance for the financial mechanism; establishing a schedule for reporting; establishing arrangements for monitoring data on POPs; adopting rules of procedure and financial rules; adopting the budget for the Secretariat; and establishing the POPRC. Other matters scheduled for discussion included: the format for the DDT Register and the Register of specific exemptions; the process for developing guidelines to assist parties in preventing the formation and release of unintentionally produced POPs; and guidelines on BAT and BEP.

INTERSESSIONAL HIGHLIGHTS

ROTTERDAM CONVENTION COP-2: The second meeting of the Conference of the Parties to the Rotterdam Convention on the Prior Informed Consent procedure for Certain Hazardous Chemicals and Pesticides in International Trade (PIC COP-2) was held from 27-30 September 2005, in Rome, Italy. Delegates discussed and adopted 15 decisions on, *inter alia*: the programme of work and the budget for 2006; operational procedures of the Chemical Review Committee (CRC); the finalization of the arrangements between UNEP and the FAO for the provision of the secretariat to the Rotterdam Convention; pilot projects on the delivery of regional technical assistance; and cooperation and synergies between the Basel, Rotterdam and Stockholm Convention secretariats. Delegates agreed to forward a bracketed text on a compliance mechanism to COP-3 and to task the Secretariat with a study on financial mechanisms.

FIRST MEETING OF THE EXPERT GROUP ON BAT/BEP: The Expert Group on Best Available Techniques and Best Environmental Practices held its first meeting in Geneva, Switzerland, from 28 November to 2 December 2005. It aimed to enhance and strengthen the draft guidelines on BAT and provisional guidance on BEP, and to submit the result of its work to COP-3 of the Stockholm Convention. Delegates discussed a number of issues, *inter alia*: the needs and circumstances of developing countries and regions; elements that countries might take into account when establishing requirements for BAT, including economic and social considerations; and criteria that should be used for evaluating alternatives in comparison with conventional techniques and practices.

SAICM: At the International Conference on Chemicals Management, held from 4-6 February 2006, in Dubai, United Arab Emirates, delegates completed negotiations and adopted the Strategic Approach to International Chemicals Management (SAICM). This voluntary approach, which provides a framework for chemicals management, supports the goal agreed at the World Summit on Sustainable Development in 2002, in Johannesburg, South Africa, of minimizing the adverse effects of chemicals use and production on human health and the environment by 2020. The final agreement includes a high-level declaration from participants, an overarching policy strategy and global plan of action.

OEWG ON NON-COMPLIANCE: The first meeting of the Open-ended Ad hoc Working Group on Non-Compliance (OEWG NC) was held from 28-29 April 2006, in Geneva, Switzerland. Delegates agreed to use, as the basis for discussion, a bracketed draft text on procedures and institutional mechanisms on non-compliance prepared by the Secretariat. Delegates addressed issues, including: establishment, composition and meeting frequency of the Compliance Committee; procedures for triggering non-compliance submissions to the Committee; measures to be taken by the Committee to facilitate compliance; and the decision-making process. Delegates added new proposals and brackets to the text, and agreed on a recommendation to COP-2 for the OEWG NC to reconvene as soon as appropriate. The OEWG NC report will be presented to delegates at COP-2.