

PIC COP-3 HIGHLIGHTS: THURSDAY, 12 OCTOBER 2006

The PIC COP-3 met in plenary throughout the day to hear reports from working and contact groups, and addressed nomination of experts and financial mechanisms. COP-3 adopted decisions on nomination of Chemical Review Committee (CRC) experts, election of COP-4 officers, technical assistance and synergies. The non-compliance working group met in the morning and convened in a Friends of the Chair Group and bilateral discussions in the afternoon. The contact groups on financial mechanisms and the budget met throughout the day. The Friends of the Chair Group on chrysotile asbestos met and agreed to a text on the issue.

The Ministerial Segment convened in the afternoon to hear statements by ministers and high-level officials.

IMPLEMENTATION OF THE CONVENTION

NOMINATION OF CRC EXPERTS: The Secretariat introduced the draft decision on election of experts for the CRC (UNEP/FAO/RC/COP.3/CRP.8). Nominations for experts from each region for the four-year period from 1 October 2007 are the following: China, India, Japan and Sri Lanka for Asia and the Pacific; the Czech Republic for Central and Eastern Europe; Chile and Mexico for Latin American and the Caribbean Group (GRULAC); Austria, France and Norway for Western Europe and others Group (WEOG); and Benin, Gabon, Nigeria and South Africa for the African Group. COP-3 adopted the decision.

ISSUES FROM PREVIOUS COPs

REPORTS FROM THE WORKING GROUP AND CONTACT GROUPS: Non-compliance working group Chair Denis Langlois reported on the group's progress, and, noting outstanding issues remained, asked that the group's mandate be extended to Friday.

Financial mechanism contact group Co-Chair Jozef Buys reported progress on preparing a draft COP-3 decision but said long-term financing options text remained bracketed. NEW ZEALAND, supported by NORWAY, urged reaching agreement on consensus text, maintaining reference to both the GEF and the Montreal Protocol Multilateral Fund. SOUTH AFRICA urged not restricting options for long-term financing to the GEF and amending the text to emphasize that the Secretariat should explore new and different sources of financing. Delegates agreed to continue discussions in the contact group.

NATIONAL AND REGIONAL DELIVERY OF TECHNICAL ASSISTANCE: The Secretariat introduced the draft decision on regional and national delivery of technical assistance (UNEP/FAO/RC/COP.3/CRP.10), noting it incorporated some revisions reflecting the EU's comments in

plenary and other minor amendments, including on references throughout the text to "national action plan," to avoid confusion with the Stockholm Convention. COP-3 adopted the decision.

SYNERGIES: Contact group Co-Chair Jan-Karel Kwisthout presented the draft decision on cooperation and coordination between the Rotterdam, Basel and Stockholm Conventions (UNEP/FAO/RC/COP.3/CRP.13). He reported on the agreed outcome, which provides that COP-3: agrees to participate in the process specified in Decision SC-2/15; expects the *ad hoc* joint working group to report to COP-4; and recognizes the need to provide support for participation of developing countries and those with economies in transition in the *ad hoc* working group. It also invites observers to submit their views on the supplementary report (UNEP/FAO/RC/COP.3/INF.18). COP-3 adopted the decision without amendment.

ELECTION OF COP-4 OFFICERS

President Yue Ruisheng introduced this agenda item, inviting regional groups to nominate representatives for the Bureau to serve through to COP-4. WEOG requested more time, GRULAC elected Andrea Repetti (Argentina), the African Group elected Abdoulaye Traoré (Mali), Asia and Pacific elected Hamoud Darwish Salim Al-Hasni (Oman), and Central and Eastern Europe elected Daniela Ioana Florea (Romania).

WORKING GROUP

NON-COMPLIANCE: On membership, AUSTRALIA said his delegation could accept the UN regional basis for membership. Based on a 15 members compliance committee, delegates debated proportional versus equal distribution of members per region, with INDIA and other Asian and African countries supporting four members from Africa and Asia-Pacific regions, two from GRULAC and Central and Eastern Europe, and three from WEOG. GRULAC members, the EU and AUSTRALIA supported three from each region. No agreement was reached.

On examining systemic issues of general compliance, the group agreed to a compromise text between the EU and Australia, supported by Japan, stating that the committee may request relevant information from any reliable sources and outside experts, in accordance with relevant guidance by the COP.

Delegates then discussed whether the committee might be operationalized pending agreement on some of the committee's attributes, including decision-making process, measures, triggers and composition. AUSTRALIA, JAPAN, INDIA and CHINA suggested the committee could be established in the absence of consensus on these issues, while the EU, SWITZERLAND, NORWAY and JAMAICA noted unresolved procedures would prevent the committee from functioning effectively.

Following Canada's suggestion, Chair Langlois established a Friends of the Chair group, which evolved into bilateral discussions that took place throughout the afternoon. The working group reconvened briefly, and Chair Langlois asked if the group could continue in an evening session without interpretation, but CHINA opposed. In light of this, Chair Langlois distributed a Chair's draft text on outstanding issues, and explained that it would be translated overnight, and discussed in the working group on Friday morning.

CONTACT GROUPS

FINANCIAL MECHANISMS: In the financial mechanisms contact group, many developing countries proposed that the Secretariat explore new long-term financing sources and not limit funding sources to the GEF and the Montreal Protocol. Some developed countries opposed broadening sources of funding, saying other potential sources were already identified in the draft decision. One party suggested GEF and Montreal Protocol parties now needed to consider funding more broadly. A smaller drafting group was established to prepare a revised text for consideration on Friday.

BUDGET: Looking at budget figures, baselines and parties' contributions, delegates discussed UNEP/FAO.RC.COP.3/CRP.6. The EU asked the Secretariat to point out lines in which savings could be made. The group also negotiated the budget draft decision line-by-line, agreeing to, *inter alia*: a zero increase in budget compared to the last biennium; asking the Secretariat to produce a format for the 2009–2010 budgets in harmony with the Stockholm and Basel Conventions secretariats; and to set the working capital reserve at 15% of the average biennial operational budgets. Delegates also agreed to ask the Secretariat to write to the relevant parties, impressing upon them the importance of paying their respective arrears for 2005 and of timely payments for 2006. The only unresolved issue relates to the compliance committee budget line, contingent on the outcomes of the non-compliance working group.

MINISTERIAL SEGMENT

President Yue Ruisheng welcomed ministers, high-level officials and delegates to the COP-3 Ministerial Segment, noting its theme "Towards the full implementation of the Rotterdam Convention: challenges and opportunities."

Shafqat Kakakhel, UNEP Deputy Executive Director, on behalf of UNEP Executive Director Achim Steiner, said national implementation is key to meeting the objectives of the Convention, stressing the need to adapt existing legislative and administrative frameworks instead of creating new ones.

Shivaji Pandey, FAO, on behalf of FAO Director-General Jacques Diouf, noted the Convention now includes major chemical producing and exporting countries and that many more chemicals are candidates for the PIC procedure. Together with many others, he paid tribute to Niek Van de Graaff's efforts to promote sound chemicals management at the international level, as he is retiring.

Many speakers thanked the Swiss Government for hosting COP-3, UNITAR for providing technical assistance for national implementation, and UNEP and FAO for continued support to the Convention.

JORDAN highlighted national activities and called for financial and technical assistance to achieve the World Summit on Sustainable Development goal of achieving sound chemicals management by 2020.

Noting that poor chemicals management continues to pose grave threats in Africa, BENIN called for financial resources, solidarity and a coordinated approach. GHANA called for support in strengthening national legislation and capacity building and, with NIGERIA, drew attention to continued international traffic in hazardous chemicals. RWANDA

highlighted challenges in the Convention's implementation, and underscored research and development, implementation strategies and synergies among chemicals-related MEAs.

SWITZERLAND underscored, *inter alia*, an effective and supportive compliance regime and synergies for the Convention's implementation and emphasized the bad precedent set by COP-3's lack of consensus on chrysotile asbestos, citing political and economic grounds. The EU highlighted its member states' emphasis on chemicals management, urged incorporating sustainable chemicals management in development initiatives and lamented the implications that COP-3's lack of consensus on chrysotile would have on the numerous hazardous chemicals on Annex III "waiting list." Noting that no new chemicals have been added to Annex III since 2004, GERMANY warned that failure to list chrysotile asbestos would damage the Convention's implementation, with the WHO highlighting health hazards of chrysotile asbestos and existence of safer substitutes. The EC said the Convention was not working as well as it should, and said failure to list new chemicals, especially those being traded internationally, would jeopardize the Convention, highlighting COP-3 decision not to include chrysotile asbestos.

FINLAND announced her country would host the *ad hoc* joint working group on synergies. Encouraging an integrated approach to implementation in developing countries, TOGO commended the SAICM Quick Start Programme, and called for regional, subregional and national common policies and strategies.

CAMEROON highlighted national activities in sustainable development of chemical and agricultural industries, and noted problems in controlling transboundary movements of hazardous chemicals. LIBERIA highlighted barriers preventing full implementation, including lack of: chemical and poison control centers; monitoring and inventory capacity; and a legislative framework. MAURITANIA stressed the importance of technical assistance for developing countries in implementing the Convention. THAILAND urged strengthening cooperation and communication between stakeholders at all levels for successful implementation of the Convention, and integration with other chemicals conventions, as well as SAICM.

The UKRAINE highlighted national activities to implement the Rotterdam Convention and, noting the country's pesticides stockpiles, announced its intention to ratify the Stockholm Convention. BULGARIA and ARGENTINA stressed regional cooperation for sound chemical management. URUGUAY underscored shared responsibility and joint efforts in protecting the environment and public health. ITALY highlighted national action plans and strategies, cross-sectoral approaches and continued cooperation and collaboration between the MEAs. Highlighting the recent illegal dumping of chemical waste in Cote d'Ivoire, the BASEL CONVENTION, stressed coordinated and effective environmental instruments to protect vulnerable groups and ecosystems from chemicals and their hazards.

IN THE CORRIDORS

As the non-compliance working group went into closed-door bilaterals for most of the afternoon, with the Chair reportedly asking delegates what their bottom line was on outstanding issues, frustrated faces conveyed a lack of optimism on progress. Some delegates were very concerned that no resolution would be reached as no one was showing flexibility. Another said that Thursday was still early for delegates to put all their cards on the table. As a full day remains to discuss a Chair's proposal on the table, a positive outcome may still be possible.

ENB SUMMARY AND ANALYSIS: The *Earth Negotiations Bulletin* summary and analysis of the Third Conference of the Parties to the Rotterdam Convention will be available on Monday, 16 October 2006 online at: <http://www.iisd.ca/chemical/pic/cop3/>