



## POPS INC-2 HIGHLIGHTS THURSDAY, 28 JANUARY 1999

On the fourth day of INC-2, delegates met briefly in Plenary to hear and comment on reports of the Implementation and Negotiation Groups, which then convened in parallel sessions throughout the day. The Implementation Group discussed capacity building activities and financial assistance. The Negotiation Group addressed: public information, awareness and education; research, development and monitoring; information exchange; and other articles proposed in the Secretariat's expanded preliminary outline. It also heard the outcome of the Contact Group on Annexes.

### PLENARY

The Plenary heard reports from and commented on the Implementation and Negotiation Groups' progress. Implementation Group Chair Maria-Cristina Cardenas Fischer noted ongoing discussions on capacity building activities and said financial assistance would be considered next. On the Negotiation Group's progress, Chair John Buccini noted completion of initial discussion on measures, implementation plans and information exchange, and said the Contact Group was in the process of completing its work.

### NEGOTIATION GROUP

On public information, awareness and education, the EU proposed that parties ensure public access to information and encourage industry and users to provide information. IRAN called for parties to act at the interregional level and to recognize different national capacities. The US supported opportunities for public input. CANADA requested that parties provide information on integrated pest management (IPM). INDONESIA underscored including the long-term health and environmental effects of POPs in public awareness materials, and TANZANIA called for similar information on alternatives. IRAN, supported by TANZANIA, stressed giving POPs information to producers, in addition to those who use and release, and sought information on specifications, accessibility and relative costs of alternatives. TANZANIA added evaluation of health and environmental risks. The DOMINICAN REPUBLIC requested clear language on POPs information for different kinds of users. KUWAIT emphasized information dissemination to users as a priority. The GAMBIA underscored the need to sensitize policy and decision makers and to strengthen regional and subregional institutions. GREENPEACE INTERNATIONAL, supported by the EU, sought greater specificity in POPs information. AUSTRALIA agreed it was important, but that it was implied. IPEN said no information should be confidential and called for reference to this. ETHIOPIA, supported by the GAMBIA, stressed awareness campaigns for developing countries, particularly in Africa. TANZANIA and KUWAIT sought a clearer statement on modalities of information dissemination.

The Group next addressed research, development and monitoring. SWAZILAND, supported by ARGENTINA, the EU and others, said parties should ensure these activities and proposed text to reflect this. KUWAIT and PAKISTAN, opposed by the GAMBIA, agreed action should depend on countries' abilities. On best available techniques, the GAMBIA, supported by INDONESIA, proposed reference to IPM. On possible alternatives, the GAMBIA and ARGENTINA called for reference to indigenous, nonchemical alternatives. CANADA proposed another paragraph on methodologies and techniques to detect, quantify and inventory substances. NIGERIA proposed that a formal body oversee harmonization of activities to ensure coordination between parties. IRAN said results of research, development and monitoring activities should be made publicly available. IRAN, supported by ARGENTINA, proposed text to ensure that parties address the concerns of developing countries when undertaking actions. ARGENTINA raised the issue of socioeconomic impacts of not implementing the convention.

In the afternoon, delegates agreed to revised text on national implementation plans which left text on working with international organizations to implement plans in brackets. The Group then turned to other articles in the Secretariat's proposed convention outline. Chair Buccini suggested addressing each article and identifying whether it should be sent to the legal drafting group at INC-3. On reporting, the US proposed wording to broaden its scope. CANADA said reporting should be regular, and intervals and format should be decided at the first conference of parties (COP). PAKISTAN said the objectives of the convention could affect this article and called for their speedy establishment. On noncompliance, the US and the EU suggested revisiting the issue after further development of the convention. The EU and AUSTRALIA called for consideration of other conventions. On settlement of disputes, the UK noted a lack of provision for regional economic integration organizations. The RUSSIAN FEDERATION stressed that the Secretariat be made aware of any conflicts and contradictions. The US proposed arbitration and/or submission to the International Court of Justice. On the Conference of Parties, SWITZERLAND, supported by ICELAND, recommended reconsideration of party duties and functions as the convention develops. On the Secretariat, GERMANY, the GAMBIA and the US, among others, expressed reservations in addressing this article until the convention develops further. On amendments to the convention and adoption and amendment of annexes, the UK, supported by CANADA, proposed holding the percentage of votes required for action for later policy discussion. ICELAND underscored that procedures must be flexible and sensitive to social, economic and environmental conditions for expediency. In addition, Chair Buccini noted that articles on voting, signature, ratification, entry into force, reservations, withdrawal, depositary and authentic texts will be turned over to the legal drafting group for scrutiny and that all policy discussions would continue following study by the legal drafting group.

This issue of the Earth Negotiations Bulletin © <enb@iisd.org> is written and edited by Richard Campbell, LL.B. <richcam@hotmail.com>, Laura Ivers <laurai@iisd.org>, Leila Mead <leila@interport.net> and Anny Wong, Ph.D. <wonga@ewc.hawaii.edu>. The Editor is Pamela Chasek, Ph.D. <pam@iisd.org> and the Managing Editor is Langston James "Kimo" Goree VI <kimo@iisd.org>. Digital editing by Andrei Henry <ahenry@iisd.ca>. Logistics by Molly Rosenman <mrosenman@iisd.ca>. The Sustaining Donors of the Bulletin are the Netherlands Ministry of Foreign Affairs, the Government of Canada (through CIDA), the United States (through USAID) and the Swiss Agency for Environment, Forests and Landscape. General Support for the Bulletin during 1999 is provided by the United Kingdom Department for International Development (DFID), the German Federal Ministry of Environment (BMU) and the German Federal Ministry of Development Cooperation (BMZ), the Danish Ministry of Foreign Affairs, the European Community (DG-XI), the Ministries of Environment and Foreign Affairs of Austria, the Ministries of Foreign Affairs and Environment of Norway, the Ministry of Foreign Affairs and Ministry of Environment of Finland, the Government of Sweden, 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 Nairobi (c)1999 The Living Earth, Inc. <http://livingearth.com>. For information on the Earth Negotiations Bulletin, send e-mail to <enb@iisd.org>.



The group then reviewed revised text on information exchange. Delegates agreed to keep bracketed proposals regarding confidentiality issues, the PIC Convention's information exchange provisions, and information exchange mechanisms. The EU proposed that at its first session, the COP should designate an existing and willing IGO to take the lead in implementation. The PHILIPPINES, CANADA and the US said this should be the function of the Secretariat. In response to a proposal from RWANDA, a reference to environmental health and safety was added.

Charles Auer (US), Chair of the Contact Group on Annexes, reported on the group's results, noting it had addressed exemptions, handling and structure of annexes and approaches to differentiated responsibilities. Noting that the definition of concepts was only to facilitate the contact group's discussions, Chair Auer said the terms general and specific exemptions were used: general being an exclusion addressed in the measures article which has general applicability to all POPs unless otherwise specified; and specific being an exclusion addressed in a control annex or annexes, which is applicable to a specific chemical in a specific country and for a specific use. He identified the following exemptions for inclusion either in the convention or its annexes: scientific research; intermediates in the manufacture of another chemical; unintentional trace contaminants; substances in articles manufactured or in use as of the date of entry into force; and public health emergencies. He also presented the following structural proposals for the annexes: a single-annex approach for elimination and restriction; a two-annex approach separating elimination and restriction; and two options for differentiated treatment using single-annex approaches as an example.

### IMPLEMENTATION GROUP

The Implementation Group continued discussion of capacity building activity areas as outlined in UNEP/POPS/INC.2/INF/3 and on the proposed activity areas of risk assessment and socioeconomic implications. IRAN, supported by CHINA, VENEZUELA, EGYPT and others, emphasized the need to examine the social, economic, and environmental and human health impacts of POPs alternatives, prior to their application. CANADA and ICELAND suggested that socioeconomic considerations be included in national plans. INDIA said socioeconomic aspects should be considered when determining whether to ban a substance. KENYA said risk reduction should be a priority over risk assessment while the viability of POPs alternatives is assessed.

VENEZUELA called for nonchemical alternatives to POPs to avoid similar problems in the future. IPEN highlighted WHO-endorsed insecticide alternatives to DDT for malaria control. SOUTH AFRICA called for a regional approach to controlling malaria. EGYPT noted a focus on DDT and emphasized that other compounds, specifically agricultural pesticides, must be addressed. PHYSICIANS FOR SOCIAL RESPONSIBILITY called for injury assessments to help educate and raise awareness.

Delegates next considered financial assistance for the capacity building areas identified (UNEP/POPS/INC.2/INF/4 and UNEP/POPS/INC.2/INF/5). INDIA called for centralized training, information exchange on experience and past mistakes, and sharing of resources and programmes to minimize costs. Supported by CANADA, he noted the difficulty of determining a figure at this early stage. He said that fund availability, not source, was important, supported adopting a provision based on the Montreal Protocol, and proposed that funding be organized through the Secretariat. ICELAND encouraged use, through the Secretariat, of a clearinghouse mechanism similar to that of the Global Programme of Action for the Protection of the Marine Environment from Land-Based Activities. EGYPT supported the Basel Convention approach of locating capacity building activities and training centers according to common language groupings. After a request from Chair Cardenas to summarize ongoing Inter-Organization Programme on the Sound Management of Chemicals activities on POPs (UNEP/POPS/INC.2/INF/6), CANADA noted

initiatives discussed at the third meeting of the Intersessional Group of the Intergovernmental Forum on Chemical Safety in December 1998, including: capacity building; Pollution Release Transfer Registers; obsolete chemicals and pesticides; and a PCB strategy. On possible use of existing and future financial assistance, IRAN, supporting G-77/CHINA views on financial issues, said the GEF lacks the financial resources needed for the convention due to heavy requests for its assistance and its programme area limitations. He supported a financial mechanism modeled after the Montreal Protocol. The EU, supported by AUSTRALIA on behalf of JUSSCANZ, ICELAND, the US and CANADA, stressed existing mechanisms and programmes and the need to first determine the scope of the convention. He also welcomed the GEF's support. ICELAND stressed pragmatic and solutions-orientated aspects of channeling assistance. The US called for better focus and more priority on POPs by countries and organizations, noting that resource allocation is demand driven. Underscoring issues of responsibility and liability, CHINA traversed the history of POPs and pointed to their invention by European chemists. CANADA said it was strange to lay blame on European scientists and that blame could as well be laid on China for inventing gunpowder used in war, and underscored the impact of POPs on Canada and its people. The RUSSIAN INSTITUTE OF ORGANIC CHEMISTRY said that when DDT was initially produced, it saved many lives, and emphasized that the objective of the INC is to address technical issues, not to point fingers or carry out witch hunts.

INDIA presented a G-77/CHINA position paper on a convention emphasizing, *inter alia*, that financial resources must be provided through new and additional financial mechanism for effective implementation of the convention. The REPUBLIC OF KOREA noted that many developing countries are taking action on PCBs because of enlightened self interest, but that technical and financial assistance is still needed. SWITZERLAND stressed evaluating existing mechanisms before creating new ones, and called for a mechanism to channel financial support. AUSTRALIA underscored avoiding duplication of existing assistance. COLOMBIA requested analysis of what is not covered by existing mechanisms.

Regarding capacity building areas, ARGENTINA, on behalf of GRULAC, introduced a synthesis of activities that cited the formulation of national plans as a first priority. It suggested that plans be based on: a national diagnosis of priorities for capacity building in the legal, administrative, technical and technological spheres; and elaboration of national inventories. She explained that the text provided a flexible framework accommodating all countries' needs. AUSTRALIA asked for clarification as to where the GRULAC text would be used. INDIA said the implications of the GRULAC statement were not clear and requested to suspend action on the text until examined.

### IN THE CORRIDORS

Gasps abounded and hearts skipped a beat when a proposal initially appeared to reflect a lack of confidence in the Secretariat. There was initial suspicion as to the motive of the proposal, but sighs of relief ensued when the issue was dropped and folly was found. Meanwhile, steady and spirited progress remained the order of the day. A delegate hinted that the candid exchanges could be attributed to the absence of the usual negotiating suspects.

### THINGS TO LOOK FOR TODAY

**Plenary:** Plenary will convene in Conference Room 2 after the Implementation and Negotiation Groups adjourn.

**Implementation Group:** The Implementation Group will meet at 10:00 am in Conference Room 1 to finalize its report.

**Negotiation Group:** The Negotiation Group will meet at 10:00 am in Conference Room 2 to continue its discussion of measures to reduce or eliminate releases of POPs into the Environment.