

SUMMARY OF THE SECOND MEETING OF THE REVIEW COMMITTEE OF THE STOCKHOLM CONVENTION ON PERSISTENT ORGANIC POLLUTANTS: 6-10 NOVEMBER 2006

The second meeting of the Persistent Organic Pollutants Review Committee (POPRC-2) of the Stockholm Convention on Persistent Organic Pollutants (POPs) took place from 6-10 November 2006, in Geneva, Switzerland. Nearly 100 participants attended the meeting, including 30 Committee members, 33 government observers, the European Community, and representatives from 5 intergovernmental organizations and 14 non-governmental organizations.

POPRC-2 considered several operational issues, including the treatment of isomers and precursors, confidentiality arrangements, and submission of information specified in Annex F of the Convention (socioeconomic information). Delegates approved a roster of experts to assist the Committee in its work, as well as a standard work plan for the intersessional preparation of a draft risk profile and a draft risk management evaluation. They adopted 12 decisions: on risk profiles on pentafluorooctane sulphonate, pentabromodiphenyl ether, chlordecone, hexabromobiphenyl and lindane; on the newly proposed chemicals alpha hexachlorocyclohexane, beta hexachlorocyclohexane, pentachlorobenzene, octabromodiphenyl ether and short-chained chlorinated paraffins; on confidentiality arrangements; and on the treatment of isomers, or groups of isomers, of chemicals proposed for listing in Annexes A, B or C of the Convention.

Delegates' eagerness to approve proposals and risk profiles translated into a cooperative atmosphere and efficient deliberations, both in plenary and in the various contact groups. Their hard work paid off, and the third Conference of the Parties (COP-3) of the Stockholm Convention will be presented with an impressive report on the POPRC's work, which, as one delegate put it, provides "the backbone of the future work of the Convention." The outcomes of discussions on key operational issues will facilitate the POPRC's own work and pave the way towards COP-3 and COP-4.

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 in the environment, bioaccumulate in living organisms, and can cause 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 global environment, the international community called for urgent global action to reduce and eliminate their release into the environment.

IN THIS ISSUE

A Brief History of the Stockholm Convention	1
POPRC-2 Report	3
Review of COP-2 Outcomes	3
Operational Issues	3
Consideration of Draft Risk Profiles	6
Consideration of Chemicals Newly Proposed for Inclusion in Annexes A, B or C of the Convention	9
Other Matters	11
Dates and Venue of POPRC-3	11
Closure of the Meeting	11
A Brief Analysis of POPRC-2	11
Upcoming Meetings	13
Glossary	14

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In March 1995, the UN Environment Programme's Governing Council (UNEP 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 to minimize risks from them. 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 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 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 progress on language on unintentionally-produced POPs. The fifth session of the INC met from 4-10 December 2000, in Johannesburg, South Africa, where delegates concluded negotiations.

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 on the Control of Transboundary Movement of Hazardous Waste and their Disposal; 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 best available techniques (BAT) and best environmental practices (BEP) for replacing existing POPs while preventing the development of new POPs. Provision was also 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 exercised 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 Persistent Organic Pollutants Review Committee (POPRC); 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 addressed various "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.

The Stockholm Convention entered into force on 17 May 2004, and currently has 151 signatories and 134 parties, including the European Community.

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 membership of the POPRC.

POPRC-1: The first meeting of the POPRC (POPRC-1) was held in Geneva, Switzerland, from 7-11 November 2005. The Committee considered five chemicals proposed for inclusion in the Convention and agreed that intersessional working groups would develop risk profiles on these chemicals, to be assessed by the Committee at POPRC-2. POPRC-1 also reviewed its role and mandate, and took decisions on several operational issues, including developing procedures for handling confidential information, work plans for intersessional activities, and criteria and procedures for inviting additional experts.

COP-2: Stockholm Convention COP-2 took place from 1-5 May 2006, in Geneva, Switzerland. COP-2 considered several reports on activities within the Convention's mandate, and adopted 18 decisions on, *inter alia*, DDT, exemptions, financial resources and mechanisms, information exchange, BAT/BEP, identification and quantification of releases, measures to reduce or eliminate releases from wastes, implementation plans, listing chemicals in Annexes A, B and/or C of the Convention, reporting, technical assistance, synergies, effectiveness evaluation, and non-compliance.

POPRC-2 REPORT

On Monday morning, 6 November, Maged Younes, UN Environment Programme (UNEP) Chemicals Branch, welcomed participants to POPRC-2. Commending the Committee for its successes to date and for its extensive efforts, he identified the review process as the backbone of the future work of the Stockholm Convention.

Chair Reiner Arndt (Germany) opened the meeting, thanking participants for their work in preparation for POPRC-2. He highlighted the informal opening gatherings that took place on Sunday, 5 November, noting they provided an opportunity for the first face-to-face meeting of the intersessional working groups. Chair Arndt thanked parties for preparing proposals on new chemicals to be reviewed.

Participants then adopted the meeting's provisional agenda (UNEP/POPS/POPRC.2/1) with minor amendments. On the tentative schedule for the meeting, Japan noted, and Chair Arndt acknowledged, the need to list informal pre-meetings on the Convention's website. Regarding Japan's concern about holding multiple contact groups simultaneously, Chair Arndt clarified that contact groups would report to the Committee for final discussion and decision.

REVIEW OF COP-2 OUTCOMES

On Monday, the Secretariat presented a review of the outcomes of the second meeting of the Conference of the Parties (COP-2) to the Stockholm Convention as they relate to work of the Committee (UNEP/POPS/POPRC.2/INF/3), noting

that COP-2 confirmed the membership of the Committee and approved the criteria for selecting experts. He highlighted that COP-2 took note of the technical nature of discussions on isomers and precursors and requested the Committee present recommendations on these issues to COP-3.

OPERATIONAL ISSUES

TREATMENT OF ISOMERS: On Monday, the Secretariat introduced the document on treatment of isomers or groups of isomers of chemicals proposed for listing in Annexes A, B or C of the Convention (UNEP/POPS/POPRC.2/3). He outlined the two alternative recommendations presented in this document: that the Committee consider only chemicals named in the titles of proposals, and not related isomers, noting that the Committee itself does not have the mandate to nominate related isomers; or that the Committee provide expert advice to the COP on other isomers to be considered together with the proposed chemical.

Canada noted that a dilemma occurs when some proposals exclude isomers while others consider several. Chair Arndt clarified that the current document aims at developing a policy for isomers that are proposed separately, but indicated, supported by Qatar, that a policy for groups of isomers may also be needed. Australia noted that the Committee has already started following the first approach, with Mexico having produced separate nominations for isomers of lindane.

Spain and Sierra Leone suggested that parties, when making a proposal for inclusion, consider relevant isomers in their proposal. In order to streamline the process, Spain suggested that Annex E information (information requirements for risk proposals) be submitted along with initial proposals.

Canada said the two approaches are not mutually exclusive, noting that the Committee could elaborate a proposal on isomers and submit it to the COP through a party. Japan, the US, Australia, India, Ecuador, and Trinidad and Tobago supported the first approach. China preferred the first approach but indicated it could agree with Canada's suggestion. The UK preferred the second approach, provided that procedural and legal aspects be addressed in accordance with the Convention. She noted that a third option was to consider isomers on a case-by-case basis. Mexico, Spain and Uruguay supported this, with Uruguay noting the need to define the Committee's role more clearly.

Chair Arndt noted that the issue of legality could be addressed by asking the COP to mandate the Committee to include isomers. No agreement was reached on this issue. Chair Arndt suggested, and delegates agreed, that the Secretariat would draft a decision for further discussion.

On Friday, the Secretariat introduced the draft decision on isomers, which includes the two options presented earlier, modified to reflect the content of the discussion. Chair Arndt underscored the need to present one single option to the COP and proposed making amendments to the first option and then taking a decision in favor of one of them. The UK favored merging parts of both options, highlighting the need to ensure the Committee played a proactive role and that parties should always have the option of modifying proposals. The Pesticide Action Network stressed the importance of considering isomers as a

group to fully understand the health and environmental impact of a chemical. The Committee agreed on a revised version of the first option, which grants the Committee the flexibility to consider isomers, and adopted the related decision, to be submitted to COP-3.

Final Decision: In its decision on isomers, the POPRC:

- agrees on the recommended approach, contained in an annex to the decision, for considering isomers or groups of isomers of chemicals proposed for listing in Annexes A, B or C to the Convention; and
- decides to submit this decision to COP-3 for its consideration and possible adoption.

LISTING OF PRECURSORS: On Monday, Chair Arndt presented the document on listing chemicals the transformation products of which are proposed for listing in Annexes A, B or C of the Convention (UNEP/POPS/POPRC.2/4).

Sweden noted the danger of taking too generic a view on the issue of precursors, stressing the example of perfluorooctane sulphonate (PFOS), which presents an array of specific characteristics that do not pertain to all POPs. Sweden, supported by Spain, Canada and the World Chlorine Council (WCC), favored a case-by-case approach.

The WCC stressed the need for regulations to be as stringent for precursors as for POPs. He noted the need to consider the degradation process, environmental conditions and quantity of released transformation products. Norway, Spain and Japan distinguished between chemicals that are precursors and those that are the products of transformation processes in the environment.

Of the options proposed to select precursors to be considered in a risk management evaluation, as presented in UNEP/POPS/POPRC.2/4, Japan favored analyzing each precursor individually to determine whether it is transformed within a certain time into a specific chemical. The Environmental Health Fund favored the view that, when a precursor contains the proposed chemical in its structure, provided that the chemical's persistence in the environment is sufficiently long-term, it can be reasonably sure that transformation will eventually occur.

Chair Arndt noted broad disagreement regarding the treatment of precursors. Expressing hope that specific case studies, like that of PFOS, would bring congruence, he referred the general discussion on precursors to a contact group on PFOS, to be chaired by Canada. On Thursday, in their decision on PFOS, delegates agreed to move text on precursors to a footnote highlighting the need for further information and deferring decisions on these substances to POPRC-3.

CONFIDENTIALITY ARRANGEMENTS: On Tuesday, the Secretariat introduced its report on confidentiality arrangements, including a draft code of practice (UNEP/POPS/POPRC.2/2). Noting that transparency is in the spirit of the Convention, he underlined that confidentiality should be the exception rather than the norm.

Canada requested clarification on how Committee members would access confidential information. Chair Arndt queried whether Committee members wish to receive confidential information intersessionally, or just during Committee meetings.

He articulated the difficulty of handling confidential information and his preference, supported by Sweden but opposed by the UK, for receiving information only at Committee meetings. Uruguay suggested taking a case-by-case approach. The Committee accepted Sweden's proposed insertion of text clarifying that information, which is otherwise public, should not be deemed confidential. Norway said since the aim of the Convention is to address chemicals that have adverse health and environmental effects, information should not be confidential. Sierra Leone questioned how to proceed if Committee members choose not to receive information. Chair Arndt explained that decisions cannot be taken without a quorum, so in this situation no action could be taken on the information. He stressed that the Committee is mandated specifically to deal with confidentiality.

Mauritius and Sierra Leone pondered transforming confidential information into non-confidential information and options for the Chair to circulate confidential information in a controlled manner. Mauritius suggested using sanctions for breaches of confidentiality. Chair Arndt underscored that confidential information would be difficult to use as a convincing argument in discussions. Ecuador called for translation into different languages, but Chair Arndt suggested using only English.

The Committee debated the issues of "potential confidentiality" and mutual agreement of confidentiality. The International POPs Elimination Network (IPEN) suggested, and the Chair supported, setting a cut-off date to review the document. Chair Arndt suggested tweaking language on the impacts of confidentiality on business and industry. He asked the Secretariat to revise the document and present a new version to the Committee later in the week.

On Friday, the Secretariat presented the revised draft decision on confidentiality arrangements. The Committee adopted the draft, which was amended to note that the report of POPRC-2 would highlight the issue of confidentiality of information deemed to affect the competitiveness of the party or observer. Delegates agreed to request advice from COP-3. Other discussions related to recommendations and reports of the Committee not containing confidential information, and information on releases, emissions and discharges being classed as non-confidential.

Final Decision: In its decision on confidentiality arrangements, the POPRC decides to submit the draft code of practice for the treatment of confidential information in the POPRC to the COP-3 for consideration. The draft code of practice is contained in an annex to this decision.

ROSTER OF EXPERTS: On Tuesday, the Secretariat presented the document on the roster of experts (UNEP/POPS/POPRC.2/5). She noted that the Committee's terms of reference provide for the establishment of a roster of experts who are not members of the Committee but who may be invited to support its work. She explained parties were invited to nominate experts for inclusion in the roster, and that 26 experts had been nominated, as contained in document UNEP/POPS/POPRC.2/INF/11.

Chair Arndt noted the need for additional socioeconomic experts, particularly from developing countries, and invited participants to expand the list of nominations to a maximum of 31 invitees. Participants agreed on the need to invite these experts to support the work of the Committee at its third meeting and during the intersessional period preceding it, and approved the list of nominations.

STANDARD WORK PLAN FOR THE INTERSESSIONAL PREPARATION OF (A) A DRAFT RISK PROFILE AND (B) A DRAFT RISK MANAGEMENT EVALUATION: On Thursday, Chair Arndt drew attention to the draft work plan for the intersessional period between POPRC-2 and POPRC-3 for the possible preparation of a draft risk management evaluation (UNEP/POPS/POPRC.2/6, Annex V), and to the draft work plan on the possible preparation of a draft risk profile, contained in a conference room paper.

Chair Arndt noted that the ending of Committee members' terms does not coincide with timings of COP and POPRC meetings, with decisions taken at COP-3 coming into effect in 2008 and thus having an impact on POPRC-4.

On Friday, delegates agreed on the standard work plan for the preparation of a draft risk profile and a draft risk management evaluation (2006-2007), with the addition of a footnote on the intersessional working group Chairs attending the evaluation work plan meeting from 18-20 February 2007, financial resources permitting.

SUBMISSION OF INFORMATION SPECIFIED IN ANNEX F OF THE CONVENTION: On Wednesday, Ecuador presented the report on submission of information specified in Annex F of the Convention (socioeconomic information) (UNEP/POPS/POPRC.2/6).

Canada and Uruguay discussed the process of risk management at their respective national levels to identify differences between risk management and risk assessment. Uruguay presented a developing country approach to risk management, highlighting: command and control approaches such as legislation; softer non-legal measures, including incentives; and capacity building and public awareness raising. Canada discussed the risk management approach for toxic substances under the Canadian Environmental Protection Act, highlighting Canada's commitment to long-term elimination of persistent and bioaccumulative toxic substances. He underscored the open and consultative nature of the Canadian approach and the qualitative assessment of the impact on trade and investment as well as public and political acceptability. Chair Arndt drew parallels between these national processes and the work of the Committee, including the options for risk management and the social and economic factors for consideration. He underscored that Annex F aims to send a clear message to, and to receive feedback from, parties on the impacts of banning specific chemicals.

The UK noted similarities in the EU and Canadian approaches to risk management. Uruguay highlighted difficulties in gathering information but noted its good relations with the Chamber of Industry. Chair Arndt pinpointed increased difficulties in managing risk when industrial chemicals consist

of a mixture of compounds. Sierra Leone stressed that passing national legislation to control chemicals is difficult when there are no – or only expensive – alternatives. Morocco shared problems of access to information and raised concerns about stockpiles. Mexico noted that alternatives are known and are available for most uses and applications of lindane. China raised the question of distinguishing between developing and developed countries regarding the availability of technology.

Chad queried procedures to be followed should the national government refuse to deal with a chemical declared as high-risk. Uruguay explained that the national government must justify inaction and described how advocacy by non-governmental organizations (NGOs) helped address this. Sweden elaborated on measures of information and persuasion, softer than the "command and control" approaches. The UK noted the inappropriateness of voluntary measures for POPs and said the risk management introduction and analysis require further input. Canada, supported by Chair Arndt, underscored the value of involving NGOs and industry in the preparation of risk management strategies, and advocated the precautionary principle. Chair Arndt and the UK discussed linkages and differences between the Stockholm Convention and the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade. Thailand and the Philippines noted national experiences, with the latter urging for alternatives to be considered bearing in mind different national settings.

Commenting on the document, Canada and Norway suggested requesting information on sources, production, uses and releases of the proposed substances. Chair Arndt stressed it is in countries' own interest to provide socioeconomic information, given the cost of inaction. Uruguay suggested making clear that alternatives may also include non-chemical solutions. The UK called for more specific language on potential control measures and risk reduction goals. Sweden suggested expanding the document's explanatory note to accommodate this concern. He also stressed the need to mention the benefits of environment and health measures rather than just the costs.

Several delegates underscored that the quality of the POPRC's socioeconomic evaluations depends on the information provided by parties, calling for requests for information to be clear and precise. Trinidad and Tobago suggested providing a draft example of a completed form to assist developing countries. Chair Arndt underscored the need for Committee members from developing countries to participate in the contact group on this issue. He also questioned the inclusion of control measures beyond those included in the Convention, suggesting that a contact group, chaired by Ecuador, discuss the matter further. The contact group met on Wednesday and Thursday.

On Friday, Ecuador reported on the deliberations of the contact group, and presented revised annexes to document UNEP/POPS/POPRC.2/6, highlighting minor changes made to Annex I (draft elements of a letter to parties and observers inviting submission of socioeconomic information specified in Annex F of the Convention). He noted that Annexes II (draft

format for submitting Annex F information) and III (explanatory notes) had been merged, with an explanatory note added to the introduction of Annex II.

Debates centered on whether to use a single letter for all chemicals, or one for each. On Annex I, delegates agreed to retain the request for submissions of information regarding the production, uses and releases of each of the chemicals. On Annex II, they agreed to use a questionnaire for each substance, making minor amendments and adding explanatory notes. Discussions focused on adding information about the timing of control measures and their costs and benefits. Delegates agreed the Secretariat will improve the document and decide on the number of letters to be sent.

CONSIDERATION OF DRAFT RISK PROFILES

PENTABROMODIPHENYL ETHER: On Monday, Australia presented the draft risk profile on pentabromodiphenyl ether (pentaBDE) (UNEP/POPS/POPRC.2/7), noting it meets the requirements of Annexes D (screening criteria) and E (information requirements), and poses significant threats to human health and the environment. He noted that pentaBDE is a commercial mixture of brominated diphenyl ethers, which is mainly used as a component of flame retardant polyurethane foams, but also in solid plastics and textiles. He said its production is phased out or being phased out worldwide while its releases are to air, water and soil, with major concentrations found in soil.

Australia said environmental effects are likely to resemble those of polychlorinated biphenyls (PCBs). He noted that: developmental effects have been observed in plankton and fish; endocrine effects are likely in marine mammals; neurotoxicity and reproductive effects have been observed in mice and rats; and human impacts are unclear, with pentaBDE being likely to affect pregnancy and early childhood. He further said pentaBDE: displays a long half-life in soils, sediments and water; accumulates in marine and aquatic organisms; is widespread in top predatory animals; has been detected far from sources; and shows increasing concentrations in the Arctic and North America, while concentrations in Europe are declining. Based on the data presented, Australia concluded that global action on pentaBDE is warranted.

Norway drew attention to pentaBDE occurrence in plastics and electronic appliances, calling for cautious recycling. Regarding allowable percentage ranges of pentaBDE's different components, she suggested following the example of the EU Directive, which sets identical limits for all harmful components of pentaBDE.

The Bromine Science and Environmental Forum stated the use of pentaBDE in electronic appliances is negligible compared to its use in flame retardant foams. He noted that field-observed environmental degradation is slower than degradation rates suggested by laboratory experiments. Japan suggested addressing only the harmful components of pentaBDE. The UK cautioned against risk profiles that are too detailed and advised against the use of risk quotient analyses. Norway suggested the Committee assess various pentaBDE uses in more detail. Sierra Leone

noted the lack of data of pentaBDE's environmental occurrence in Africa and South America. Chair Arndt underscored that such data will be needed as a starting point for effectiveness evaluation. Norway encouraged participants to share data on human blood concentrations of pentaBDE.

Chair Arndt established a contact group, chaired by Australia, to address the issue further and draft a decision. The group met on Monday, Tuesday and Wednesday. On Thursday, Australia reported on its work, noting the inclusion of a definition of commercial pentaBDE to distinguish it from the substance pentaBDE, and of new information supplied by the US on notification requirements for producers. Delegates debated whether to include the word "commercial" in the title of the proposal, and agreed to return to this discussion when nominating the substance for inclusion in one of the Convention's annexes at a later POPRC meeting. They adopted the draft decision on the risk profile on pentaBDE.

Final Decision: In its decision on the risk profile on pentaBDE, the POPRC:

- adopts the risk profile on pentaBDE;
- decides that pentaBDE is likely, as a result of its long-range environmental transport (LRET), to lead to significant adverse human health and environmental effects such that global action is warranted;
- decides to establish an *ad hoc* working group to prepare a risk management evaluation that includes an analysis of possible control measures for the commercial mixture of the chemical; and
- invites parties and observers to submit to the Secretariat the information specified in Annex F before 2 February 2007.

CHLORDECONE: On Tuesday, Qatar presented the chlordecone draft risk profile (UNEP/POPS/POPRC.2/8), highlighting the need for increased monitoring in remote areas and discussion on applying data on LRET from other chemicals to chlordecone.

India and Japan underscored the need to further look into LRET and persistence, and expressed concern about data deficiencies on human exposure. The WCC noted inconsistencies in the document relating to degradation, bioaccumulation, biomagnification and LRET, and raised concerns about modeling.

Delegates stressed the need for prioritization and the possibility of chlordecone being a "dead" chemical, since it is no longer produced. Chair Arndt stressed the need to define "dead," and what action under the Convention would be desirable. The UK underscored that chlordecone was produced in France until 1995 and is still used in banana plantations in French Territories. Supported by South Africa, she stressed the proposal should not be put aside, but Annex F enquiries (socioeconomic information) should be initiated. Chair Arndt underscored that the risk management evaluation would establish whether the chemical is considered "dead." Thailand noted that if a chemical is not used widely, the need to monitor is not imperative.

The UK explained that data on human exposure effects exists, but was not included in the proposal. Norway pointed to chlordecone's low volatilization potential and its tendency

to bind to soil, and suggested looking to other properties to inform discussion. The US argued that LRET is not an issue. Spain highlighted chlordecone's chronic toxicity to mammals, noting that potential risk already exists at concentrations below normal detection concentrations. Urging precaution, he called for increased efforts to model risk and toxicity. Qatar outlined that even historic contamination is detectable in marine organisms today.

Chair Arndt established a contact group, chaired by Qatar, to further examine the issue and draft a decision. The contact group met on Tuesday and Wednesday. On Thursday, Qatar reported on its work, noting continued discussion on LRET and persistence. Chair Arndt said the concluding statement should underline that the Committee decides to proceed despite a lack of full scientific certainty with respect to LRET, considering evidence suggesting its relevance. Norway confirmed that this is in line with the Convention. The WCC said lack of monitoring data calls into question the likelihood of significant adverse effects and whether the situation warrants global action. Spain opined that sufficient evidence on adverse effects exists. Chair Arndt said additional modeling is needed to predict the likelihood of LRET and adverse effects in the case of larger-scale production, noting the need for increased effort to overcome the lack of full scientific certainty. Delegates adopted the decision on the risk profile on chlordecone, as well as draft elements of a letter to parties and observers inviting them to submit the socioeconomic information specified in Annex F of the Convention.

Final Decision: In its decision on the risk profile on chlordecone, the POPRC:

- adopts the risk profile on chlordecone;
- invites the *ad hoc* working group that prepared the risk profile, to explore further information on LRET and risk estimations, and, if appropriate, to revise the risk profile;
- considers that although information on LRET is not conclusive, there is evidence of some transport pathways;
- decides, given lack of full scientific certainty should not prevent a proposal from proceeding, that chlordecone is likely to lead to significant adverse human health and environmental effects such that global action is warranted;
- decides to establish an *ad hoc* working group to prepare a risk management evaluation that includes an analysis of possible control measures; and
- invites parties and observers to submit to the Secretariat the information specified in Annex F before 2 February 2007.

HEXABROMOBIPHENYL: On Tuesday, the UK presented the draft risk profile on hexabromobiphenyl (HBB) (UNEP/POPS/POPRC.2/9), noting it belongs to a group of polybrominated biphenyls mainly used as flame retardants in synthetic fibers and plastics. She said the draft risk profile fulfils the Annex E information requirements, but highlighted concerns about using similar chemicals as benchmarks against which HBB can be assessed. She questioned whether it is possible to set a safe level of exposure to HBB, explaining that although widespread production may have ceased, the substance may

still cause significant adverse effects. She said data on toxicity, bioaccumulation and LRET justify precaution, and highlighted similarities with the case of chlordecone.

Canada cautioned against specifying safe levels of exposure. The WCC highlighted inconsistencies in the use of the terms bioconcentration, bioaccumulation and biomagnification, and called for "order of magnitude" to be defined. He advocated caution regarding the use of modeling. India underscored the need for evidence that HBB is still produced and that its LRET potential is inconclusive and data on human exposure is lacking. Spain said comparison with risk coefficients of other substances would be justified, but called for caution in the case of monitoring and toxicity evaluation.

The US suggested comparing concentrations that are harmful with those predicted to occur in the environment on the basis of modeling. He questioned whether HBB's LRET potential warrants global action and noted the likelihood of production would influence any conclusion, explaining this can be derived from historical production data and analysis of future demand. Norway pointed out that as other brominated flame retardants are being phased out under the Montreal Protocol on Substances that Deplete the Ozone Layer, there is a risk that producers may turn to HBB as an alternative. Sierra Leone called for assessment of the demand for "dead" chemicals, particularly in developing countries where stockpiles may exist.

Sweden said HBB is included in the Convention on Long-range Transboundary Air Pollution and the Rotterdam Convention, and called for synergies and language consistency.

Chair Arndt established a contact group, chaired by Qatar, to further examine the issue and draft a decision. The contact group met on Tuesday and Wednesday. On Thursday, Qatar reported on the contact group's work, noting the inclusion of additional information. The UK and Spain requested information on mammalian toxicity and suggested this be included in the letter to parties. Chair Arndt referred the matter to a general discussion on information requests on Friday.

Delegates adopted the decision on the risk profile on HBB, as well as draft elements of a letter to parties and observers inviting them to submit the socioeconomic information specified in Annex F of the Convention.

On Friday, delegates agreed to consider extra information only if it contradicts the conclusions reached in finalized proposals, and to invite extra information to address any lack of scientific certainty for proposals that are data deficient. Spain recalled the lack of adequate information for HBB, and Chair Arndt clarified that the risk management evaluation phase would allow further discussion. The UK elaborated on Spain's concern, noting that at POPRC-3, current levels of information on HBB may not be deemed sufficient to take a decision on listing it in an annex.

Final Decision: In its decision on the risk profile on HBB, the POPRC:

- adopts the risk profile on HBB;
- invites the *ad hoc* working group that prepared the risk profile to refine the risk profile further with estimations of risks to human health and the environment, including the potential

risk associated with the presence of HBB in articles and wastes;

- decides that HBB is likely, as a result of its LRET, to lead to significant human health and environmental effects such that global action is warranted;
- decides to establish an *ad hoc* working group to prepare a risk management evaluation that includes an analysis of possible control measures for HBB; and
- invites parties and observers to submit to the Secretariat the information specified in Annex F before 2 February 2007.

LINDANE: On Tuesday, Mexico presented the draft risk profile on lindane (UNEP/POPS/POPRC.2/10), outlining its chemical identity, sources, uses, distribution and effects, and international conventions that address it. He noted that lindane, the gamma isomer of hexachlorocyclohexane (HCH), is the most toxic of the three isomers, and that the alpha and beta isomers would be considered at a later stage. He said Mexico nominated lindane for inclusion in Annex A of the Convention, and concluded that global action is warranted.

The UK expressed regret that the other HCH isomers are not being treated conjunctly. Sierra Leone and Spain called for additional scientific information. Spain noted new research on lindane and highlighted its use in Spain. Morocco offered national data that could be included in the risk profile. India explained there is one producer of lindane in India and lindane is used for the control of mites in sugar cane. Japan highlighted a technical discrepancy relating to bioaccumulation factors.

Chair Arndt established a contact group, chaired by South Africa, to further examine the issue and draft a decision. The contact group met on Tuesday and Wednesday. On Thursday, South Africa reported on its deliberations, noting that the draft risk profile on lindane had been updated with additional scientific information. Delegates discussed whether to include information collected after the initial screening phase, and decided against it, agreeing instead to complement the risk profile with a fact sheet, to be discussed at a future meeting of the Committee. Delegates adopted the decision on the draft risk profile on lindane, as well as draft elements of a letter to parties and observers inviting them to submit the socioeconomic information specified in Annex F of the Convention.

Final Decision: In its decision on the draft risk profile on lindane, the POPRC:

- adopts the risk profile on lindane;
- decides that lindane is likely, as a result of its LRET, to lead to significant adverse human health and environmental effects such that global action is warranted;
- decides to establish an *ad hoc* working group to prepare a risk management evaluation that includes an analysis of possible control measures for the chemical;
- takes note of the POPRC-2 decisions on alpha- and beta-HCH, in which the Committee decides that the proposals for listing these chemicals in Annexes A, B or C of the Convention have met the Annex D screening criteria;
- recognizes the inherent association of the production of these HCH isomers to the intended production of lindane; and

- invites parties and observers to submit to the Secretariat the information on lindane, alpha- and beta-HCH as specified in Annex F before 2 February 2007.

PERFLUOROOCCTANE SULFONATE: On Monday, Canada presented the draft risk profile for PFOS (UNEP/POPS/POPRC.2/11), an extremely persistent chemical that does not hydrolyze, photolyze or biodegrade under environmental conditions. He outlined that evaluation of LRET, toxicity, persistence and bioaccumulation confirmed that PFOS meets the criteria of Annexes D and E. He noted PFOS concentrations in birds and mammals in remote regions now equal concentrations that have health effects, as established under laboratory conditions. Given that environmental concentrations of PFOS and its precursors may exceed the effect concentration threshold in fish-eating birds and mammals and occurrence in biota is widespread, he concluded that global action is warranted.

Japan and Australia articulated divergent views on the solubility of precursors, and, with support from Chair Arndt, proposed the establishment of an open-ended working group to review literature on the topic.

Canada outlined that any chemical compound with PFOS as part of its structure can be transformed to PFOS and as such the risk profile discussed the issue of PFOS precursors. Sweden noted that producers have information on the nature of the precursors and drawing on this would reduce scientific uncertainty. Spain said polymers may not liberate sufficient PFOS to pose a danger to the environment. Chair Arndt explained that in receiving environments, concentrations in animals are often close to toxic effect concentrations, and stated that this is caused mostly by precursors and these must therefore be addressed. China supported a “product-by-product” approach, noting different areas of use may require divergent approaches. Japan favored grouping chemicals. Canada highlighted chemical modeling as a tool to identify the transformation of precursors into PFOS. Sweden and Japan, supported by many, agreed on the need for further information.

Norway highlighted the option to look at use categories rather than specific precursors. The Philippines proposed calculating a dissociation constant to help classify precursor risk and having industry demonstrate that products are within the set value. IPEN, Canada, Ecuador and Norway stressed the importance of taking a precautionary approach. The Russian Federation, in line with China and Japan, noted the need to consider the importance of PFOS in industrial processes.

Chair Arndt reminded delegates that a decision on listing was not required at POPRC-2. Supported by Japan, Norway, the US and Spain, he proposed a contact group chaired by Canada provide a draft for discussion including items on information collection, chemical degradation, and bracketing information on precursors. He noted that should this contact group fail to provide a draft, the Committee would then base its decision on Article 8 of the Convention on the lack of scientific certainty.

The contact group met from Monday through Wednesday. On Thursday, Canada summarized the contact group’s work, noting the addition of reference to EU decisions on restricting the substance, and of extra scientific information. Delegates

agreed to move text on precursors to a footnote highlighting the need for further information and deferring decisions on these substances to POPRC-3. India urged the Committee to follow the procedures dictated by the Convention. Chair Arndt clarified that the Convention does not specifically deal with precursors, which offers the Committee some flexibility.

Delegates discussed a draft letter to parties and observers inviting them to submit the socioeconomic information specified in Annex F of the Convention. Canada noted that most of the comments on the draft letter related to additional information requests on precursors, beyond Annex F information. Chair Arndt highlighted an annex to the letter listing the 96 chemicals classified as potential precursors. Delegates adopted the decision on the risk profile on PFOS as well as the draft letter.

Final Decision: In its decision on the risk profile on PFOS, the POPRC:

- adopts the risk profile for PFOS;
- decides that PFOS is likely, as a result of its LRET, to lead to significant adverse human health and environmental effects such that global action is warranted;
- decides to establish an *ad hoc* working group to prepare a risk management evaluation that includes an analysis of possible control measures for PFOS; and
- invites parties and observers to submit to the Secretariat the information specified in Annex F of the Convention before 2 February 2007.

CONSIDERATION OF CHEMICALS NEWLY PROPOSED FOR INCLUSION IN ANNEXES A, B OR C OF THE CONVENTION

On Tuesday, the Secretariat presented a document on verification of whether new proposals contain the information specified in Annex D of the Convention (UNEP/POPS/POPRC.2/INF/9). He explained that the Secretariat does not evaluate the data provided in proposals, but assesses if the information criteria in Annex D (information requirements and screening criteria) is fulfilled. He confirmed the Secretariat reviewed proposals for the five new chemicals and concluded their dossiers contain the information required by Annex D.

OCTABROMODIPHENYL ETHER: On Wednesday, the EC presented the proposal on the commercial mixture octabromodiphenyl ether (c-octaBDE) (UNEP/POPS/POPRC.2/12 and INF/4), prepared by the EU and its member states. He clarified that c-octaBDE is a mixture of several polybrominated diphenyl ethers (polyBDEs), containing octaBDE isomers as well as pentaBDE and hexaBDE, among others. He noted that c-octaBDE is mainly used as a flame retardant, and that production has ceased in the EU and the US. He stated that the commercial mixture is persistent in the environment and has a strong potential for bioaccumulation, even if some of its components have varying accumulation potentials. He further noted that c-octaBDE is subject to LRET and is toxic for humans and the environment, and concluded that global action is warranted.

Delegates discussed the bioaccumulation and toxicity levels of the different components of c-octaBDE and their potential for debromination. They debated technical details of the composition of the commercial mixture and its naming. Chair Arndt drew parallels with the case of pentaBDE. Spain suggested preparing information tables for the commercial form of the chemical and its components. Japan offered a procedural shortcut, noting that if pentaBDE was listed, then c-octaBDE would be accounted for as it contains certain amounts of pentaBDE. The UK, Canada and Ecuador opposed this, voicing concern about traces of other hazardous components in the commercial mixture.

Sweden cited literature mentioning high concentrations of polyBDEs in sludge twenty years after initial contamination, as well as studies showing bioaccumulation of polyBDEs in Arctic biota. Japan said hepta-, octa- and nonaBDE have been shown to have very low bioconcentration factors, but Norway highlighted research showing bioconcentration of hepta- and octaBDE in various organisms. Spain affirmed that field data is critical. He noted that aquatic organisms that may not show signs of adverse effects while affected by concentrations under critical threshold levels, still contribute to bioaccumulation in the food chain.

Underscoring that many parameters, including evaporation rates, strongly depend on ambient temperature, Sierra Leone suggested information tables take into account conditions in tropical regions. India questioned whether the documentation presented collates all relevant scientific literature. Chair Arndt said a contact group chaired by POPRC-2 Vice-Chair Jacqueline Alvarez (Uruguay) would continue discussion on the matter and draft a decision. The contact group met on Wednesday and Thursday. On Friday, Vice-Chair Alvarez noted discussions in the contact group regarding the identity of octaBDE, and said the group agreed on a definition of the commercial mixture in line with that of pentaBDE. In the ensuing debate, the UK stressed that it is not only the mixture's main components that warrant concern, with Chair Arndt noting a need to continue a discussion on traces at a future meeting.

Australia underscored octaBDE's long half-life. The Russian Federation questioned whether there is "sufficient evidence" of persistence, and in response, Spain cited a study showing no degradation after 28 days. Sierra Leone called for persistence data for different types of soil. Sweden said the data provided is sufficient for the screening phase, and details can be elaborated in a draft risk profile.

The Bromine Science and Environmental Forum suggested, and delegates agreed to, adding "commercial" to octaBDE in the title of the proposal, although China pointed out that listing a commercial mixture rather than specific components would hinder implementation of the Convention through national legislation, particularly in developing countries. Delegates concluded that commercial octaBDE meets the screening criteria, and adopted the related decision.

Final Decision: In its decision on commercial octaBDE, the POPRC:

- decides that the screening criteria have been fulfilled for commercial octaBDE;

- decides to establish an *ad hoc* working group to review the proposal and prepare a draft risk profile; and
- invites parties and observers to submit to the Secretariat the information specified in Annex E before 2 February 2007.

An annex to the decision contains the evaluation of commercial octaBDE against the screening criteria as set out in Annex D of the Convention.

PENTACHLOROBENZENE: On Wednesday, the EC presented the proposal on pentachlorobenzene (PeCB) (UNEP/POPS/POPRC.2/13 and INF/5), prepared by the EU and its member states. He explained that PeCB has been used in the past as a pesticide, a flame retardant and in dielectric fluids, and that it is unclear whether it is still being used, but is an impurity in some pesticides. He said PeCB is no longer produced in Europe and North America, but data from other regions is lacking. The EC said PeCB may be released into the environment indirectly through wastes, and highlighted that reasonable amounts of monitoring data exist, although these originate mostly from industrial regions. He underscored that PeCB is very persistent in the environment and has high bioaccumulation potential in different species as well as considerable potential for LRET. Noting that there is inadequate data to classify PeCB as a carcinogen, he said it is probably moderately toxic to humans and toxic to aquatic animals, and concluded that global action is warranted.

Sweden stressed PeCB's volatilization potential from waste. Sierra Leone called for information on half-lives under varied environmental conditions. Japan and the WCC offered to provide data on persistence, accumulation and fish toxicity. The WCC cautioned the use of models in assessing LRET potential. Chair Arndt established a contact group, chaired by POPRC-2 Vice-Chair Jacqueline Alvarez (Uruguay), to further develop the proposal. The contact group met on Wednesday and Thursday. On Thursday afternoon, Vice-Chair Alvarez presented the draft decision, as finalized by the contact group. On adverse effects, delegates discussed making a clear distinction between field and laboratory data, and consistently using whole body weight as the unit for expressing bioconcentration. Delegates adopted the draft decision on PeCB.

Final Decision: In its decision on PeCB, the POPRC:

- decides that it is satisfied that the screening criteria have been fulfilled for PeCB;
- decides furthermore to establish an *ad hoc* working group to review the proposal further and to prepare a draft risk profile; and
- invites parties and observers to submit to the Secretariat the information specified in Annex E before 2 February 2007.

Annexed to the decision is an evaluation of PeCB against the criteria of Annex D of the Convention.

SHORT-CHAINED CHLORINATED PARAFFINS: On Wednesday, the UK presented the proposal on short-chained chlorinated paraffins (SCCPs) (UNEP/POPS/POPRC.2/14 and INF/6), submitted by the EU and its member states, noting that SCCPs are a group of synthetic chlorinated paraffins widely used in metal-working and as flame retardants. She explained the proposal does not cover long- or medium-chained chlorinated

paraffins and underscored the use of these chemicals is restricted in many countries, but not banned. The UK conceded there is little evidence on degradation and that a study on degradation simulation testing in seawater is awaited. She highlighted that bioconcentration, LRET and adverse effects data meet the Annex D screening criteria and concluded that global action is warranted.

Chair Arndt observed that if the Committee was to propose listing SCCPs, then long- and medium-chain chlorinated paraffins may also be considered. He underscored the need to agree on a single approach to chemical definition. Qatar, Chair Arndt and the UK discussed the use of Chemical Abstract Service (CAS) numbers and Japan stressed the importance of specifying which compounds are covered by the proposal. Ethiopia called for clarification of the term "remote." India raised concerns over the information presented, arguing that the half-life of SCCPs is very short compared to that of other POPs.

Chair Arndt noted the complexity of the chemical identity of SCCPs. Japan, whose government has regulated specific types of SCCPs, provided a memo for the contact group. Canada pointed to information obtained for the UN Economic Commission for Europe's Taskforce on POPs, both for SCCPs and other chemicals, and the Chlorinated Paraffins Industry Association offered technical support to the contact group. On persistence, Canada noted studies that showed SCCPs' occurrence in sediment over 50 years. On bioaccumulation, Spain called for consistency in the use of bioconcentration and bioaccumulation data, and for the inclusion of as much information as possible. Regarding LRET, the US urged for clarity and consistency in the documentation. Norway noted evidence of the presence of SCCPs in remote regions. Spain underscored the need for comparative ecotoxicological studies on adverse effects.

Chair Arndt established a contact group, chaired by Mauritius, to discuss the issue further and draft a decision. The contact group met on Wednesday and Thursday. On Thursday afternoon, Mauritius reported on the contact group's deliberations, noting interventions by India and Japan about the identity of the substance to be listed. The UK noted the current draft reflects the final proposal with clarification on the chemical identity having been made. On Friday, Chair Arndt recalled that SCCPs are a mixture of chlorinated paraffins described by a specific CAS number. India questioned their identity, and conceding that SCCPs represent a multidimensional system of chemicals, Chair Arndt and the UK suggested the Committee return to this issue when developing the risk profile. Russia called for specification of "the Arctic region," noting significant human habitation in the Russian Arctic. Chair Arndt agreed that not all Arctic areas can be considered remote.

Delegates concluded that SCCPs fulfill the screening criteria. Noting the need to take into account the variability of the environmental fate properties and to exercise caution in the next phase, they adopted the decision on SCCPs.

Final Decision: In its decision on SCCPs, the POPRC:

- decides that the screening criteria have been fulfilled for SCCPs;

- decides that the variability of environmental fate properties of the SCCPs congeners should be addressed in developing the draft risk profile;
- decides to establish an *ad hoc* working group to review the proposal and prepare a draft risk profile; and
- invites parties and observers to submit to the Secretariat the information specified in Annex E before 2 February 2007.

An annex to the decision contains the evaluation of SCCPs against the screening criteria as set out in Annex D of the Convention.

ALPHA AND BETA HEXACHLOROCYCLOHEXANE:

On Tuesday, Mexico introduced its draft proposals on alpha- and beta-HCH (UNEP/POPS/POPRC.2/INF/7 and INF/8), two isomers of lindane (gamma-HCH), and by-products of industrial lindane production. He explained that alpha-HCH is the predominant isomer in air and ocean water while beta-HCH is the most persistent HCH isomer. He stated both isomers have the potential for bioaccumulation and LRET, with alpha-HCH accumulating particularly in the Arctic Ocean and beta-HCH in the Northern Pacific. He said alpha-HCH can disrupt endocrine processes and cause organ damage, while beta-HCH displays liver and renal effects in rats and is the most toxicologically significant isomer because of its estrogenic effects in mammals and fish. Mexico underlined that both isomers have been classified as possible human carcinogens.

Australia called for consistency in expressing bioaccumulation factors; Japan and Spain preferred expressing these on a whole body weight basis rather than a dry weight or lipid basis. Sierra Leone underscored the need for standardization of water solubility data. The Philippines argued that since both isomers are by-products of lindane, their phase-out is the responsibility of producing countries rather than of all countries, and that a ban on lindane production would sufficiently address the issue of alpha- and beta-HCH. Sweden and Norway drew attention to the global problem of past and potential present uses of HCH, noting the low circulation rate of ocean water and the toxicity of the alpha and beta isomers.

Thailand supported inclusion of alpha- and beta-HCH in the lindane proposal. The UK agreed the screening phase could be considered complete. The US supported Mexico's proposal and pointed to new studies by the US Environmental Protection Agency. Chair Arndt discussed the listing criteria for both alpha- and beta-HCH, noting bioaccumulation of alpha-HCH requires further information and inviting the contact group on lindane to also address alpha- and beta-HCH. This contact group, chaired by South Africa, met on Tuesday and Wednesday. On Thursday, Chair Arndt presented the draft decisions on alpha- and beta-HCH, as finalized by the contact group. Spain preferred to avoid separate risk profiles for individual isomers. Chair Arndt noted that this would be addressed during the general discussion on isomers on Friday. Delegates adopted the draft decisions on alpha- and beta-HCH.

Final Decisions: In its decision on alpha-HCH, the POPRC:

- decides that the screening criteria have been fulfilled for alpha-HCH;

- decides to establish an *ad hoc* working group to review the proposal further and to prepare a draft risk profile; and
- invites parties and observers to submit to the Secretariat the information specified in Annex E of the Convention before 2 February 2007.

In its decision on beta-HCH, the POPRC:

- decides that the screening criteria have been fulfilled for beta-HCH;
- decides to establish an *ad hoc* working group to review the proposal further and to prepare a draft risk profile; and
- invites parties and observers to submit to the Secretariat the information specified in Annex E of the Convention before 2 February 2007.

Both decisions contain annexes, specifying the evaluation of these chemicals against the criteria of Annex D of the Convention.

OTHER MATTERS

On Thursday, Chair Arndt and Uruguay took on the organization of a side event at COP-3 to raise awareness on the work of the Committee. Regarding gathering information material on chemicals for future review, Chair Arndt suggested, and delegates agreed, the Secretariat should approach Committee members to prepare information on new chemicals during the intersessional period. The Committee would then review the respective draft documents. On Friday, Japan reported on his government's new approach to the reduction of unintended environmental contamination by hexachlorobenzene as an industrial by-product.

DATES AND VENUE OF THE THIRD MEETING OF THE COMMITTEE

On Thursday, Chair Arndt announced that POPRC-3 will be held from 19-23 November 2007, in Geneva, Switzerland, with an informal pre-meeting on 18 November 2007.

CLOSURE OF THE MEETING

On Friday, delegates adopted the report of POPRC-2 (UNEP/POPS/POPRC.2/L.1 and Add.1) with minor amendments. Chair Arndt thanked delegates for their active participation and congratulated them on progress made. He gavelled the meeting to a close at 5:30 pm, and invited delegates to a social gathering rounding off the meeting.

A BRIEF ANALYSIS OF POPRC-2

The success of a multilateral environmental agreement lies in its inherent flexibility to change and respond to new scientific findings. The Stockholm Convention answered this challenge by establishing the POPs Review Committee that is charged with considering additional chemicals to be added to the original list of twelve, the so-called "dirty dozen." Thus far the Committee has met twice and in a positive atmosphere in the presence of governmental and non-governmental observers, it has demonstrated its ability to make progress on an ambitious programme of work.

The POPs Review Committee was established to regularly consider additional candidates for the annexes to the Convention. Any government can propose a new listing by stating the reasons for its concern. The Committee, which consists of a group of 31 technical experts nominated by parties from the five regional groups, follows a science-based evaluation process that reviews the nomination of chemicals via three stages. First the POPRC considers whether a nominated substance fulfills the requirements of Annex D of the Convention (information and screening criteria for new POPs: chemical identity, persistence, bioaccumulation, the potential for long-range environmental transport, and adverse effects). Second, should the nominated chemical fulfill these criteria, the POPRC then prepares a draft risk profile based on Annex E of the Convention (information requirements for the risk profile: sources, hazard assessment, environmental fate, monitoring data, exposure, risk evaluations, and status under international conventions). Finally, on the basis of the draft risk profile, the POPRC decides if global action is warranted. If such action is called for, the POPRC develops a risk management evaluation based on Annex F of the Convention (information on socioeconomic considerations: control measures, alternatives, impacts on society, waste and disposal implications, access to information, control and monitoring capacity, actions taken and other relevant information). The POPRC is then in a position to recommend that the COP adds the chemical to one of the annexes of the Convention.

At its first meeting in 2005, the POPRC considered proposals on the first five candidate chemicals: chlordecone; hexabromobiphenyl; lindane; pentabromodiphenyl ether; and perfluorooctane sulfonate. POPRC-1 concluded that these proposals fulfilled Annex D requirements and a risk profile could be prepared to be considered at POPRC-2. POPRC-2 considered proposals for five new chemicals nominated by parties during the intersessional period, and evaluated the five risk profiles. POPRC-2 also pondered the treatment of confidential information and chemicals with multiple isomers. This brief analysis examines some of the decisions taken at POPRC-2 and looks ahead to COP-3 and beyond.

MOVING FORWARD

Described by Chair Arndt as a “decision-producing machine,” the Committee, on review of the risk profiles, concluded that the chemicals proposed at POPRC-1 (pentafluorooctane sulfonate, pentabromodiphenyl ether, chlordecone, hexabromobiphenyl and lindane) warranted global action.

In considering precursors (chemicals that contain in their structure the chemical proposed for listing), participants opened a can of worms. Heated debate centered on listing one chemical with or without its many precursors, with listing precursors having significant implications for the work of the Committee. Consensus was not reached, but harnessing the efficiency of the Committee and Chair Arndt’s drive to move forwards, precursors were referenced in a footnote. This prevented an even lengthier debate and ensured the option of reopening the precursor debate

at POPRC-3. During the intersessional period, the Committee will prepare risk management evaluations (in accordance with Annex F) for the five chemicals that now have risk profiles.

There was also success in the area of isomers. In the wake of the experience with lindane, which was proposed for consideration by Mexico without its two isomers, the POPRC was requested by the COP to provide recommendations on whether it is acceptable for chemicals to be nominated on a singular basis or whether they should be grouped with their isomers. In another example of the POPRC’s inspired ability to move forward within a flexible framework, it was agreed that the POPRC take a proactive role in suggesting to the COP that isomers of chemicals be included in the proposal. Although some Committee members first favored providing two alternative options to the COP, Chair Arndt, through his skillful facilitation of the discussion, guided Committee members to an agreement to forward to the COP a proposal outlining their approach on isomers, underscoring their role as experts and their license to be self-determining. Consequently, in their decision on lindane, the Committee committed to asking parties and observers for Annex F information on alpha and beta isomers, meaning that POPRC-3 will have at hand both Annex E and Annex F information for alpha and beta isomers. This double stride offers the option of amalgamating the isomers into a single proposal in the future and jointly moving lindane and its isomers forward at the same pace.

SOME BUMPS IN THE ROAD

Nevertheless, progress at POPRC-2 was not without effort. The Committee considered five newly proposed chemicals: alpha hexachlorocyclohexane, beta hexachlorocyclohexane, pentachlorobenzene, octabromodiphenyl ether and short-chained chlorinated paraffins. At the beginning of the week, some participants questioned the quality of these proposals, concerned that they should not be admitted to the risk profile stage without additional work. The contact groups worked incessantly during the evenings and lunch breaks on strengthening the proposals with additional data gleaned from the literature. By the end of the week, thanks to the efforts of the contact groups, all Committee members were satisfied with the improved quality, but stressed such work should be carried out by the parties during the intersessional period rather than during the actual POPRC meeting.

The issue of confidentiality proved to be another bump in the road. COP-2 instructed the POPRC to continue its work on confidentiality and to provide a final proposal for confidentiality arrangements for consideration by COP-3. While initial debate focused on the rules for handling confidential information, the ensuing discussion saw divergent positions on the use and usefulness of confidential information. Some participants made reference to last year’s POPRC where there was general agreement that confidential information was not desired. Given the Convention is to address chemicals that have adverse health and environmental effects, they urged that any information on chemicals thought to have these characteristics should not be confidential.

One sticking point was proposed text deeming confidential all information affecting the competitiveness of a party or observer. Many saw that, in principle, confidentiality should not be given a priori, but requested on a case-by-case basis, while others disagreed. To the disappointment of the Chair and the Secretariat, who had specifically requested guidance on this point, agreement could not be reached. As a result, the Secretariat is left without operational guidance on which information may be regarded as confidential and may be forced to take decisions without a clear mandate. The matter was referred to COP-3 where it remains to be seen if a decision can be taken. One may expect that it might have been easier to take a decision and move the issue forward in the relatively small and effective forum of the Committee, instead of in the inherently political setting of the COP.

A third “bump” was the participation of developing countries. One delegate produced an open letter raising the issue of resource constraints for developing country delegates. Parties and observers acknowledged difficulties in participating in the intersessional work of the Committee, noting however that developing country participation in Committee meetings is paid for. The capacity-building role of the meetings per se was also noted, with the informal workshops on risk management and evaluation compared to training sessions. This calls into question interests represented among this group, with the full opportunity for developing country representatives yet to be harnessed.

LOOKING AHEAD

COP-3, to be held in Senegal in April 2007, will attempt to reach agreement on confidentiality issues and review the recommendations made by POPRC-2 on isomers. Given the extensive debates and divergent views on confidentiality at POPRC-2, it will be interesting to see how the COP will proceed on this issue. In the lead up to the COP-3, Chair Arndt and Vice-Chair Alvarez will shape a side event to be held in Senegal making the role and mandate of the POPRC better understood by delegates and observers alike.

At POPRC-3, the Committee will review the risk management evaluations prepared during the intersessional period in accordance with Annex F. The essence of the deliberations will be contingent on the information provided by parties during the intersessional period and is likely to be contentious and politicized, given its socioeconomic nature. POPRC-3 recommendations will be taken to COP-4 in 2008 where substantive debate is expected, as decisions are taken on which chemicals should be scheduled into the Convention and which should not. Discussions will undoubtedly look into whether the scientific information presented in the risk management evaluations is sufficient. Since the issue of including new substances in the Convention's annexes can have economic implications for parties with regard to phasing out and banning the use of certain substances, there is little doubt that future debates in the COP – and possibly in the POPRC – will become increasingly politicized.

UPCOMING MEETINGS

20TH MEETING OF THE OECD WORKING GROUP ON PESTICIDES: This meeting will take place from 13-14 November 2006, in Bonn, Germany. For more information, contact: OECD; tel: +33-1-45-249-316; fax: +33-1-45-241-675; e-mail: EHS.contact@oecd.org; internet: <http://www2.oecd.org/iomc/reports/EventReport.aspx?reports=true> and <http://www.oecd.org/ehs/>

40TH JOINT MEETING OF THE OECD CHEMICALS COMMITTEE AND WORKING PARTY ON CHEMICALS, PESTICIDES AND BIOTECHNOLOGY: This meeting will take place from 14-15 November 2006, in Bonn, Germany. For more information, contact: OECD; tel: +33-1-45-249-316; fax: +33-1-45-241-675; e-mail: EHS.contact@oecd.org; internet: <http://www2.oecd.org/iomc/reports/EventReport.aspx?reports=true>

MEETING ON HEALTH AND ENVIRONMENTAL EFFECTS OF PESTICIDES AND BIOCIDES: The Technical Committee on Classification and Labelling of Dangerous Substances is meeting from 14-16 November 2006, in Arona, Italy. For more information, contact: Institute for Health and Consumer Protection; tel: +39-0332-785959; fax: +39-0332-785730; e-mail: ihcp-contact@jrc.it; internet: http://ecb.jrc.it/classlab/agenda/7706_ag_Pesticides-Biocides_1106.htm

SECOND MEETING OF THE EXPERT GROUP ON BEST AVAILABLE TECHNOLOGIES AND BEST ENVIRONMENTAL PRACTICES: This expert group of the Stockholm Convention will meet from 19-24 November 2006, in Geneva, Switzerland. For more information, contact: Secretariat of the Stockholm Convention; tel: +41-22-917-8191; fax: +41-22-797-3460; e-mail: ssc@pops.int; internet: http://www.pops.int/documents/meetings/bat_bep/EGBATBEP2/default.htm

SAICM REGIONAL MEETING: The EU-JUSSCANNZ regional meeting will take place from 20-22 November 2006, in Barcelona, Spain. For more information, contact: UNEP Chemicals, tel: +41-22-917-8334; fax: +41-22-797-3460; e-mail: saicm@chemicals.unep.ch; internet: <http://www.chem.unep.ch/saicm/regionalmeetings.htm>

SECOND MEETING OF THE DDT EXPERT GROUP: This meeting, held under the auspices of the Stockholm Convention on Persistent Organic Pollutants, will take place from 21-23 November 2006, in Geneva, Switzerland. For more information, contact the Secretariat of the Stockholm Convention, tel: +41-22-917-8191; fax: +41-22-797-3460; e-mail: ssc@pops.int; internet: <http://www.pops.int>

EIGHTH MEETING OF THE CONFERENCE OF THE PARTIES (COP-8) TO THE BASEL CONVENTION: COP-8 will take place from 27 November - 1 December 2006, in Nairobi, Kenya. One of the key issues will be to examine innovative solutions for the management of waste from electronic equipment. For more information, contact: Secretariat of the Basel Convention; tel: +41-22-917-8218; fax: +41-22-797-3454; e-mail: sbc@unep.ch; internet: <http://www.basel.int>

SAICM REGIONAL MEETING: CENTRAL AND EASTERN EUROPE: This meeting will take place from 4-6 December 2006, in Riga, Latvia. For more information, contact: UNEP Chemicals, tel: +41-22-917-8334; fax: +41-22-797-3460; e-mail: saicm@chemicals.unep.ch; internet: <http://www.chem.unep.ch/saicm/regionalmeetings.htm>

CONSULTATION WITH REGIONAL OFFICERS OF FAO AND UNEP ON TECHNICAL ASSISTANCE FOR THE IMPLEMENTATION OF THE ROTTERDAM CONVENTION: This Regional Office Consultation will take place from 4-8 December 2006, in Changmai, Thailand. For more information, contact: Rotterdam Convention Secretariat; tel: +41-22-917-8296; fax: +41-22-917-8082; e-mail: pic@pic.int; internet: <http://www.pic.int/en/ViewPage.asp?id=405>

12TH SESSION OF THE SUB-COMMITTEE OF EXPERTS ON THE GHS: This meeting of experts on the Globally Harmonized System (GHS) of Classification and Labelling of Chemicals will take place from 12-14 December 2006, in Geneva, Switzerland. For more information, contact: UNECE; tel: +41-22-917-2456; fax: +41-22-917-0039; e-mail: info.ece@unece.org; internet: <http://www.unece.org/trans/main/dgdb/dgsubc4/c4age.html>

EXPERT MEETING TO DEVELOP THE STANDARDIZED TOOLKIT FOR IDENTIFICATION AND QUANTIFICATION OF DIOXIN AND FURAN RELEASES: This expert group of the Stockholm Convention will meet from 13-15 December 2006, in Geneva, Switzerland. For more information, contact: Stockholm Convention Secretariat; tel: +41-22-917-8191; fax: +41-22-797-3460; e-mail: ssc@pops.int; internet: http://www.pops.int/documents/meetings/cop_2/followup/toolkit/Default.htm

MEETING OF POPRC INTERSESSIONAL WORKING GROUP CHAIRS: The Chairs of the POPRC's intersessional working groups on risk management evaluation will meet from 18-20 February 2007, in Geneva, Switzerland, resources permitted. The aim is to further the process and outline for risk management evaluation. For more information, contact: Stockholm Convention Secretariat; tel: +41-22-917-8191; fax: +41-22-797-3460; e-mail: ssc@pops.int; internet: <http://www.pops.int>

ROTTERDAM CONVENTION THIRD CHEMICAL REVIEW COMMITTEE MEETING: The third Chemical Review Committee meeting will be held in Rome, Italy, from 19-23 March 2007. For more information, contact: Rotterdam Convention Secretariat; tel: +41-22-917-8296; fax: +41-22-917-8082; e-mail: pic@pic.int; internet: <http://www.pic.int/>

SECOND MEETING OF THE OPEN-ENDED AD HOC WORKING GROUP ON NON-COMPLIANCE: The Stockholm Convention's Second Meeting of the Open-ended Ad Hoc Working Group on Non-Compliance will meet from 25-27 April 2007, in Dakar, Senegal. For more information, contact: Stockholm Convention Secretariat; tel: +41-22-917-8191; fax: +41-22-797-3460; e-mail: ssc@pops.int; internet: http://www.chem.unep.ch/pops/newlayout/calendar_of_events.htm

STOCKHOLM CONVENTION COP-3: The third meeting of the Conference of the Parties (COP-3) to the Stockholm Convention on Persistent Organic Pollutants is scheduled to take place from 30 April - 4 May 2007, in Dakar, Senegal. For more information, contact: Stockholm Convention Secretariat; tel: +41-22-917-8191; fax: +41-22-797-3460; e-mail: ssc@pops.int; internet: <http://www.pops.int>

STOCKHOLM CONVENTION POPRC-3: The third meeting of the Persistent Organic Pollutants Review Committee of the Stockholm Convention will take place from 19-23 November 2007, in Geneva, Switzerland. For more information, contact: Stockholm Convention Secretariat; tel: +41-22-917-8191; fax: +41-22-797-3460; e-mail: ssc@pops.int; internet: <http://www.pops.int>

GLOSSARY

alpha-HCH	alpha hexachlorocyclohexane
beta-HCH	beta hexachlorocyclohexane
c-octaBDE	commercial octabromodiphenyl ether
HBB	hexabromobiphenyl
HCH	hexachlorocyclohexane
IPEN	International POPs Elimination Network
LRET	long-range environmental transport
PCBs	polychlorinated biphenyls
PeCB	pentachlorobenzene
octaBDE	octabromodiphenyl ether
pentaBDE	pentabromodiphenyl ether
PFOS	perfluorooctane sulfonate
poly-BDEs	polybrominated diphenyl ethers
POPs	persistent organic pollutants
POPRC	Persistent Organic Pollutants Review Committee
SCCPs	short-chained chlorinated paraffins
WCC	World Chlorine Council



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