

## POPS COP4 HIGHLIGHTS: TUESDAY, 5 MAY 2009

The fourth Conference of the Parties (COP4) to the Stockholm Convention on Persistent Organic Pollutants (POPs) convened for its second day in Geneva, Switzerland on Tuesday, 5 May 2009.

In the morning plenary session, delegates addressed synergies, implementation plans and regional centers. During the afternoon plenary session, delegates considered the issue of financial resources.

Contact groups on non-compliance and new chemicals convened throughout the day. Contact groups on financial resources and technical assistance, and effectiveness evaluation convened during the evening.

### MATTERS FOR CONSIDERATION OR ACTION BY THE COP

**SYNERGIES:** Osvaldo Álvarez-Pérez (Chile) and Kerstin Stendahl (Finland), Co-Chairs of the 45-member *Ad-Hoc* Joint Working Group on Cooperation and Coordination among the Basel, Rotterdam and Stockholm Conventions (AHJWG), presented on the group's work. Stendahl gave a brief history of the group and highlighted its consultative approach. She informed plenary that the AHJWG recommendations have been adopted with minor amendments by the Basel and Rotterdam Conventions.

Álvarez-Pérez outlined the recommendations of the AHJWG on: organization; technical issues; information management and public awareness; administrative issues; and decision-making procedures.

NORWAY supported the recommendations as a concrete and constructive response to the UN consultations on international environmental governance. BRAZIL stressed that activities specific to each Convention should not be neglected. SWITZERLAND commended the AHJWG process as transparent, country-driven, and inclusive. NIGERIA emphasized the need to build upon Basel Convention Regional Centres (BCRCs) as a platform for increasing synergies. CHINA stressed that the Stockholm Convention's financial and technical mechanisms should retain their independence. Delegates agreed to forward the decision to the high-level segment for adoption.

**IMPLEMENTATION PLANS:** The Secretariat reported on submitted National Implementation Plans (NIPs), and introduced additional guidance on the calculation of action plan costs and a report on implementation priorities identified by parties (UNEP/POPS/COP.4/13 and 14, and COP.4/INF/10 and INF/11).

The EU called on all parties to submit their NIPs, and underscored that eligibility for financial assistance for implementation projects is contingent on submission. Zambia,

on behalf of the AFRICAN GROUP, with the ARAB GROUP and many others, urged the Secretariat and the COP to provide technical and financial assistance to implement the activities outlined in NIPs. The RUSSIAN FEDERATION asked that resources be made available to countries undergoing the process of ratifying the Stockholm Convention.

The Secretariat explained that, if new chemicals are listed at COP4, updated NIPs would be due within three years.

IPEN highlighted multistakeholder involvement and proposed that country priorities be taken into account in COP decisions on financial and technical assistance, capacity building, and regional centers.

Delegates agreed the Secretariat would prepare a draft decision on implementation plans.

**TECHNICAL ASSISTANCE:** Plenary considered guidance on technical assistance (UNEP/POPS/COP.4/21), as well as the selection of regional and sub-regional centers for capacity building, and the transfer of environmentally-sound technologies under the Stockholm Convention (UNEP/POPS/COP.4/22). The Secretariat gave an overview of its progress, noting that no country had shared information regarding experiences in implementing the guidance on technical assistance and transfer of technology, but highlighting its capacity-building initiatives to facilitate the provision of technical assistance to interested parties. On the Stockholm Convention regional and sub-regional centers, the Secretariat reported it had received twelve nominations from five regions. BANGLADESH stressed that technical assistance requires "intense cooperation" between developing and developed countries, and LAOS underscored the need for appropriate equipment for research and implementation.

On the issue of regional and subregional centers, GRULAC and the US highlighted the need to intensify cooperation and coordination with existing BCRCs. The EU stressed that host countries should be parties to the Convention, and, supported by SWITZERLAND, the need to achieve an even geographical distribution of the centers. MOROCCO, KUWAIT, RWANDA, ALGERIA and JORDAN emphasized the centers' need for support and financial and technical assistance. KIRIBATI sought clarification as to why some countries were not under the scope of any nominated center. CHILE, supported by COSTA RICA, requested that centers provide the Secretariat with definitions of their functions and work plans within six months. GHANA and NIGERIA proposed a regional center in South Africa for Anglophone African countries.

CANADA proposed, and delegates agreed, to establish a contact group with Mohammed Khashashneh (Jordan) and Jozef Buys (Belgium) as Co-Chairs.

**FINANCIAL RESOURCES:** The Secretariat introduced a report on the effectiveness of the implementation of the memorandum of understanding between the COP and the GEF

Council (UNEP/POPS/COP.4/24), and GEF introduced a report on its activities related to the Stockholm Convention (UNEP/POPS/COP.4/25). Several parties expressed support for the Secretariat's collaboration with the GEF. The EU, NORWAY, and SWITZERLAND highlighted GEF's success in mobilizing co-financing. NORWAY recommended COP guidance to GEF be consolidated into one document to be revised by the COP as necessary.

The Secretariat introduced the second review of the financial mechanism (UNEP/POPs/COP.4/28 and INF/17). NORWAY called for the gradual and substantial strengthening of GEF. The EU and NORWAY called for greater input from parties and other stakeholders in the third review of the financial mechanism.

Underscoring the financial needs of developing countries, CHINA stressed that COP4 should provide timely guidance to GEF. GABON urged GEF to "step up" its work to ensure all parties' activities are funded. BRAZIL highlighted the delays caused due to competition among implementing agencies. CAMBODIA and GHANA drew attention to the difficulty faced by developing countries in identifying co-financing. SWITZERLAND said it views GEF as the main financial mechanism for global environmental governance. The US suggested raising the co-finance ratio for the POPs window. IPEN highlighted the need for GEF to prioritize POPs clean-up projects, and suggested that NGOs be permitted to execute GEF medium-sized projects.

John Buccini (Canada) introduced the needs assessment for implementation funding for 2010-2014 (UNEP/POPS/COP.4/27). He explained the needs assessment of US\$4.5 billion likely underestimated 2010-2014 demands. CANADA raised concerns about the accuracy of the funding estimates. The EU and the US expressed disappointment that capacity constraints were not considered in the report, and, supported by ZAMBIA and SWITZERLAND, proposed future needs assessment reports. CHINA suggested that a coordination mechanism be set up before the fifth replenishment of the GEF. MOROCCO, supported by ZAMBIA, highlighted that additional funding would be required to deal with the additional chemicals proposed for listing. SWITZERLAND underscored the need to review the terms of reference for future needs assessments.

Consideration on financial issues was referred to the contact group on technical assistance.

**EFFECTIVENESS EVALUATION:** Ramon Guardans (Spain) introduced discussion on the coordinating group for the global monitoring plan for POPs (UNEP/POPS/COP.4/INF/20).

MEXICO emphasized the need for a common financial and human resources support strategy, and offered technical assistance for a regional effectiveness evaluation. ARGENTINA called for a coordination group for global effectiveness evaluation to be responsible for carrying out evaluations.

SWITZERLAND supported, *inter alia*, specimen banking as a means of collecting and storing POPs for future analysis, and six-year terms for group members. The US called for modification of the format to allow for more detailed analysis of the measures.

ISLAND SUSTAINABILITY ALLIANCE highlighted the need to identify the sources of POPs. Many countries called upon developed countries to provide financial and technical support to developing countries, and some expressed concern about the limited number of parties who submitted reports.

A contact group, co-chaired by Guardans and Victoria Mupwaya (Zambia), was established to prepare draft decisions on effectiveness evaluations.

#### CONTACT GROUPS

**NON-COMPLIANCE:** The group met in the morning and afternoon. On the basis of the draft text contained in the annex to decision SC-3/20, delegates discussed, *inter alia*: measures, especially whether the compliance committee may issue statements of concern; principles, including whether to

add that procedures are non-punitive and facilitative; party to party- and Secretariat-triggers; committee size; regional balance; and decision-making. No substantial progress could be made, with some Asian countries supporting a more facilitative and restrictive approach, and the EU and others promoting a comprehensive mechanism. Chair Anne Daniel reminded delegates that a package had to be constructed this week in order to avoid the issue being taken up at the ministerial meeting.

**NEW CHEMICALS:** The contact group on new chemicals convened throughout Tuesday to address issues related to c-pentaBDE, c-octaBDE, and PFOS. On BDEs, participants discussed: a proposed solution to the waste and recycling issue; concerns about recycling BDE products in developing countries; and a proposed intersessional program to provide guidance to parties.

Robert Chénier reported that a working group had been unable to reach agreement on possible exemptions for PFOS, noting some participants were uncomfortable questioning the list provided by POPRC. Some parties emphasized that until cost-effective, environmentally-friendly alternatives are available, they will not support listing PFOS. Other parties and NGOs highlighted the health and environmental risks posed by PFOS and called for immediate steps to reduce its use.

The chair asked participants to address these issues in small groups.

**EFFECTIVENESS EVALUATION:** The contact group met to draft decisions on effectiveness evaluation (UNEP/POPS/COP.4/30) and the global monitoring plan for effectiveness evaluation (UNEP/POPS/COP.4/31). On the global monitoring plan, under possible actions by the COP, the group proposed including new data on human tissue to the amended report for consideration by the COP, and language to allow the Secretariat to make non-substantive changes to the global monitoring plan. They also agreed to define the functions of the regional organizational groups under the terms of reference.

**FINANCIAL RESOURCES AND TECHNICAL ASSISTANCE:** On Tuesday evening, the contact group co-chaired by Mohammed Khashashneh and Jozef Buys considered proposed regional centers, focusing on the table specifying whether each of the twelve centers met the criteria pursuant to decision SC-2/9 (UNEP/POPS/COP.4/CRP.10). The Secretariat provided clarification on a variety of issues, including those items for which question marks remained in the document. Discussions on the regional centers and financial issues will resume on Wednesday.

#### IN THE CORRIDORS

As plenary moved through its lengthy list of agenda items, the meaty issues of non-compliance and new chemicals were dealt with in contact groups.

On new chemicals, a few delegates were doubtful that PFOS would be listed at COP4. While some remained positive that an agreement could be reached by listing every conceivable exemption, others were uneasy about agreeing to a set list of exemptions, and suggested deferring the issue to COP5. Delegates were also kept busy trying to secure the listing of brominated flame retardants in the midst of a difficult technical debate on the ramifications for recycling. Several emphasized that the recycling issue should not stand in the way of listing the BDEs during this COP.

The optimistic mood with which many delegates had begun work on non-compliance gradually vanished during the day as progress could not be made on any of the major issues discussed. While some emphasized the importance of a compliance mechanism especially for developing countries, others questioned its necessity. A few participants feared that the issue would be buried if no agreement could be reached at COP4 and wondered whether this was precisely the goal of some. Others pointed out that it was still early in the week and hoped that someone had something up their sleeve.