

POPS COP4 HIGHLIGHTS: WEDNESDAY, 6 MAY 2009

The fourth Conference of the Parties (COP4) to the Stockholm Convention on Persistent Organic Pollutants (POPs) convened for its third day in Geneva, Switzerland on Wednesday, 6 May 2009.

In the morning plenary session, delegates addressed measures to reduce or eliminate releases from intentional and unintentional production and use.

During the afternoon plenary session, delegates considered reporting, POPs wastes, and information exchange.

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

MATTERS FOR CONSIDERATION OR ACTION BY THE COP

MEASURES TO REDUCE OR ELIMINATE RELEASES FROM INTENTIONAL PRODUCTION AND USE:

On DDT, the Secretariat introduced the evaluation of the continued need for DDT and alternatives (UNEP/POPS/COP.4/4), the expert group report on the production and use of DDT and alternatives (UNEP/POPS/COP.4/5), and the draft business plan for a global partnership on alternatives (UNEP/POPS/COP.4/6). INDIA requested replacing the expert group's recommendation to continue DDT use "only in malaria affected areas" and "strictly within WHO recommendations" by recommending continued DDT use for "disease vector control" (UNEP/POPS/COP.4/CRP.5). SWITZERLAND did not support the change, mainly due to its omission of WHO recommendations. SWITZERLAND, ZAMBIA, the EU, UGANDA, NIGERIA, and BANGLADESH supported the business plan. Several African and Asian countries noted the continued need for the use of DDT for disease vector control.

The Secretariat introduced requests for exemptions (UNEP/POPS/COP.4/7), noted that all exemptions expire on 17 May 2009, and agreed to draft a decision to extend provision of this procedure given the possible listing of new chemicals. COP4 Vice President Atle Fretheim noted there were no requests for new extensions. The EU expressed hope that parties will limit future exemption requests to critical uses of proposed chemicals.

On PCBs, the Secretariat introduced the proposal to create a PCBs Elimination Club (PEC) (UNEP/POPS/COP.4/9). Several countries expressed support for creating the PEC, some emphasizing that it would facilitate knowledge sharing

and information exchange. BOLIVIA called for multilateral discussions to decide on the details of the PEC, and CUBA suggested replacing the word "club" with "initiative." IPEN noted the PEC is focused on closed PCB uses, such as in transformers, but highlighted open uses including in sealants as more serious, and urged the PEC to consider both open and closed uses.

The Secretariat agreed to meet with parties bilaterally to answer remaining questions about the structure of the PEC, its funding, and other issues.

On evaluation of the continued need for the Article 3 paragraph 2 (b) procedure (UNEP/POPS/COP.4/8) related to notification of export and import of POPs, the Secretariat reported very little information had been received from parties. PANAMA highlighted the need for genuine synergies on reporting, and suggested one notification form for all chemicals conventions. Delegates requested the Secretariat draft a decision on the issue.

MEASURES TO REDUCE OR ELIMINATE RELEASES FROM UNINTENTIONAL PRODUCTION:

On the guidelines on Best Available Technology and the provisional guidelines on Best Environmental Practice (UNEP/POPS/COP.4/10), the Secretariat summarized activities undertaken. The EU suggested a review similar to that undertaken to update the dioxin toolkit. OMAN noted the guidelines are not available in Arabic, and the Secretariat committed to seeking funds to translate them into all UN languages. Delegates requested the Secretariat prepare a draft decision on the matter.

On dioxins and furans, the Secretariat discussed the ongoing review and updating of the toolkit (UNEP/POPS/COP.4/11). Delegates supported the proposed process, with the AFRICAN GROUP highlighting the need for capacity building on the use of the toolkit. The Secretariat was asked to prepare a decision on the issue.

REPORTING: The Secretariat updated delegates on issues of reporting (UNEP/POPS/COP.4/29). The EU asked the Secretariat to work with parties experiencing difficulties, and delegates requested the Secretariat prepare a draft decision.

INFORMATION EXCHANGE: The Secretariat introduced a progress report on the implementation of the clearing-house mechanism and a draft work plan (UNEP/POPS/COP.4/19 and 20). BOLIVIA and the EU suggested including reference to the PEC. SWITZERLAND highlighted the need for a mechanism covering the three chemicals conventions. Delegates asked the Secretariat to prepare a draft decision.

WASTES: The Secretariat introduced its report on support on the guidelines relating to POPs wastes (UNEP/POPS/COP.4/12). Many countries welcomed the Secretariat's activities. BOLIVIA, PANAMA, and UGANDA highlighted the lack of funding to adequately store and eliminate POPs wastes, and called for new and additional funding and technical assistance. The AFRICAN GROUP, supported by IPEN, voiced concern with the low POP content threshold, and requested the COP revise it. The US pointed out that this issue was being considered by the Basel Convention, but IPEN countered that the Stockholm Convention is mandated to work with the Basel Convention on this issue. Delegates asked the Secretariat to prepare a draft decision.

CONTACT GROUPS

NON-COMPLIANCE: The contact group on non-compliance met in the morning and evening. Although Chair Anne Daniel encouraged delegates to clear up the draft text as much as possible in view of the upcoming ministerial meeting, no progress could be made. INDIA circulated a paper reflecting the position of the developing countries of the Asia Pacific Group and covering, *inter alia*, objectives, triggers, and measures. On triggers, compromising on the secretariat trigger, the EU introduced a proposal on a committee trigger to identify questions relating to parties' compliance. Most delegates agreed to this as a basis for work, with INDIA and CHINA insisting on a self-trigger only. SWITZERLAND introduced compromise text on the kind of information that the committee could use, but CHINA asked that information from experts be solicited only with the consent of the party concerned or as directed by the COP. Most delegates agreed that the committee be allowed to express concern regarding non-compliance, with CHINA and INDIA objecting. The contact group adjourned in the evening and, pointing out that near consensus was reached on several issues, the Chair urged delegates to consult in regional groups overnight.

NEW CHEMICALS: The contact group on new chemicals reconvened during the Wednesday lunch break and again in the evening to discuss c-pentaBDE, c-octaBDE, PFOS, and for the first time, lindane and PeCB.

On BDEs, a small working group continued to seek a resolution to the waste and waste recycling issue. One NGO raised concerns about continued exposure to the BDEs through recycling and reuse of products containing POPs.

On lindane, the group addressed an exemption request from KENYA for continued use of the chemical for seed treatment, which was not supported by participants.

On PeCB, the group agreed to recommend COP list the substance under Annexes A and C.

On PFOS, participants seeking to compromise in order to progress agreed to consider listing the chemical in Annex B rather than Annex A. A small group drafted, for discussion by the contact group on Wednesday evening, a list of possible exemptions distinguishing between emissive and non-emissive uses and uses for which alternatives are or are not available. The contact group debated listing uses, in Annex B, as acceptable purposes and/or as specific exemptions.

Discussions continued late into the evening.

EFFECTIVENESS EVALUATION: The contact group on effectiveness evaluation convened throughout the day, and agreed that the first effectiveness evaluation for the baseline had been completed "to the extent allowed," and debated the merits of creating a specialized task group, with some delegates expressing concern over the financial implications of this group. The contact group finally agreed to propose a 10-person *ad hoc* technical

working group to develop cost-effective and pragmatic proposals to be submitted to COP5. These proposals would be on: the compilation of information from national reports; evaluation of information from the global monitoring plan, NIPs and information on non-compliance; and arrangements to undertake future effectiveness evaluations. After revising the annex on possible arrangements for future effectiveness evaluations (UNEP/POPS/COP.4/30), the contact group forwarded the draft decisions to plenary.

FINANCIAL RESOURCES AND TECHNICAL ASSISTANCE: The contact group met throughout the day and discussed nominated regional centers and financial resources. On the latter, participants addressed the memorandum of understanding between the GEF and the COP, mobilization of resources, the needs assessment, and the second review of the financial mechanisms. On Thursday, the contact group will consider draft decisions for action by the COP on these issues and proposed text on guidance to the GEF.

The participants considered each of the twelve nominated regional centers, reviewing how they met the criteria set out in decisions SC-2/9 and verifying whether the centers had submitted their workplans and activity reports for 2008-2009. The centers to be hosted in China, the Czech Republic, Mexico, Spain, and Brazil were found to satisfy the requirements, while the group agreed to consider outstanding issues regarding the other centers on Thursday.

BUDGET: The budget contact group met on Wednesday and discussed the priority list for the programme of work for the biennium 2010-2011, which lists the Secretariat's activities as, *inter alia*: organizing and coordinating logistics for meetings of the bureau, providing support for the extraordinary COP, providing general and legal policy advice, mobilizing resources, and providing support to parties in developing and updating NIPs. The group was polarized on which activities should be categorized as "high priority" or "low priority."

The group also debated the item on ensuring effective operation of the regional centers, with some delegates asserting that the Secretariat should allow the regional centers to be more autonomous, and others urging support for the strengthening of these centers through the Secretariat's core budget.

IN THE CORRIDORS

A sense of frustration was palpable in Wednesday's discussions, as delegates tried to forge agreement on technically complex and politically controversial issues in parallel and back-to-back contact group sessions. Some noted that slow progress on key issues, such as the endorsement of regional centers, was impeding resolution of budget and finance questions.

Other participants lamented the compromises being put forward in order to expand the Convention's scope, questioning the value of exempting chemicals from the Convention's provisions in order to list them. Some highlighted that while the BDEs under consideration are essentially dead and most production has been phased out, allowing their recycling would set a precedent for recycling other candidate POPs. They warned against creating loopholes that could lead, especially in developing countries, to increased exposure to and dispersion of the very chemicals the Convention is seeking to eliminate.

As delegates looked to the full agenda still to be resolved in parallel to the high-level segment on Thursday, hopeful voices noted that sufficient progress could potentially be made Thursday for Ministers to be able to pull together a package tying together remaining divergences, leading to successful completion of the meeting on Friday.