

POPS COP5 HIGHLIGHTS: WEDNESDAY, 27 APRIL 2011

The fifth Conference of the Parties (COP5) to the Stockholm Convention on Persistent Organic Pollutants (POPs) convened for its third day in Geneva, Switzerland on Wednesday, 27 April 2011.

In the morning, delegates discussed exemptions, effectiveness evaluation and non-compliance. During the afternoon delegates considered reducing unintentionally released POPs, information exchange and reporting.

Contact groups on budget, synergies, finance, endosulfan and new POPs, met throughout the day.

RULES OF PROCEDURE FOR THE CONFERENCE OF THE PARTIES AND ITS SUBSIDIARY BODIES

COP5 President Blaha introduced the draft decision on the amendment to rule 22 of the Rules of Procedure (UNEP/POPS/COP.5/CRP.5), and delegates adopted it without amendment.

MATTERS RELATED TO THE IMPLEMENTATION OF THE CONVENTION

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

Exemptions: NORWAY said the uses and exemptions for PFOS and listed PBDEs should be phased out as soon as possible, noting that the evaluation of exemptions for PFOS should be given priority, and that the outcome of the work programme on new POPs should lead to an informal decision on exemptions at COP6. INDONESIA said it would phase out lindane by 2015, and called for the sharing of experience and best practices on PFOS. The US said the assumptions in the report on the development of reporting and reviewing requirements for the use of lindane (UNEP/POPS/COP.5/INF/13) are misleading. GLOBAL INDIGENOUS PEOPLES' CAUCUS cautioned against the continued use of lindane, and IPEN called for a rigorous review process for specific exemptions for PFOS at COP6. WHO called for new resources for provision of technical advice on eliminating lindane.

Effectiveness evaluation: The Secretariat introduced the documents related to the Global Monitoring Plan (GMP) for effectiveness evaluation (UNEP/POPS/COP.5/30 and UNEP/POPS/COP.5/INF/25-29). NIGERIA, with GHANA and VIETNAM, commended the work of UNEP, GEF and WHO in building capacity for effectiveness evaluation, particularly in the survey on POPs in human milk. The EU welcomed the report on climate change and POPs. The AFRICAN GROUP, with MEXICO, requested technical and financial assistance for establishing and equipping laboratories for the analysis of data in developing countries. ZAMBIA, with CANADA, welcomed the draft revised guidance on the GMP for POPs. CHINA called for increasing the number of developing countries on

the effectiveness evaluation committee. MOROCCO called for "assurances of technical and financial assistance" for stronger effectiveness evaluation in the Arab world.

The REPUBLIC OF KOREA offered to hold an Asian regional workshop on analytical technology and information exchange.

The ISLANDS SUSTAINABILITY ALLIANCE proposed wide dissemination of GMP results in order to raise awareness of POPs.

On the overall considerations of effectiveness evaluation, the EU stated that as the Convention is currently without a compliance mechanism, it lacks a modality to ensure reporting, and concluded that it was therefore premature to establish an effectiveness evaluation committee. BRAZIL expressed concern with the proliferation of committees. CANADA, supported by the US, said effectiveness evaluation formed a crucial backbone of the Convention and stated that the lack of a compliance mechanism made effectiveness evaluation all the more important. COLOMBIA supported establishing a committee, underscoring the need for regional balance. PAKISTAN called for further financial and technical support for developing country parties. COLOMBIA suggested a revision of the evaluation framework, incorporating indicators for the implementation of related articles. The GLOBAL INDIGENOUS PEOPLES' CAUCUS called for the establishment of a formal process for participation of indigenous people. SAMOA suggested the reporting mechanism include implementation benchmarks reflecting the capabilities of SIDS. A working group, chaired by Bettina Hitzfeld (Switzerland), was convened to consider the issue and discuss a draft decision on this matter.

Evaluation of the continued need for the procedure under paragraph 2 (b) of Article 3: The Secretariat introduced its report on evaluation of the continued need for the Article 3 paragraph 2 (b) procedure (UNEP/POPS/COP.5/8) on export provisions for listed POPs, stating that very little information had been received from parties relating to export and import of POPs. Delegates agreed to a draft decision supporting activities proposed by the Secretariat.

MEASURES TO REDUCE OR ELIMINATE RELEASES FROM UNINTENTIONAL PRODUCTION: Best available techniques (BAT) and best environmental practices (BEP):

The Secretariat introduced the documents (UNEP/POPS/COP.5/10 and UNEP/POPS/COP.5/INF/5). The EU questioned the need for the BAT/BEP Expert Group to meet annually and CANADA proposed meetings alongside those of the POPRC. The ARAB GROUP stressed the need to enhance developing countries' capacity to implement the guidelines, and the AFRICAN GROUP welcomed the suggestion that the GEF finance this. CHINA underscored the need to incorporate new POPs. IPEN, with the INTERNATIONAL COUNCIL OF

CHEMICAL ASSOCIATIONS, called for NGO experts to be included in the BAT/BEP expert roster. Parties requested that the Secretariat prepare a draft decision for consideration by COP5.

Identification and quantification of releases: The Secretariat introduced documents related to updating the Standardized Toolkit for Identification and Quantification of Dioxin and Furan Releases and associated expert meetings (UNEP/POPS/COP.5/11, UNEP/POPS/COP.5/INF/6 and 44).

The EU, with the PHILIPPINES and GRULAC, highlighted the need to ensure these tools are used to increase awareness. Parties requested that the Secretariat prepare a draft decision based on the recommendations in the documents for consideration by COP5.

INFORMATION EXCHANGE: The Secretariat introduced documents on clearinghouse mechanisms and POPs-free products (UNEP/POPS/COP.5/19, UNEP/POPS/COP.5/INF/34 and 50).

The EU, NORWAY, MEXICO, VENEZUELA, and INDONESIA supported the Secretariat's report, while the AFRICAN GROUP underscored that the clearinghouse mechanism should be built on the existing activities undertaken by the Chemical Information Exchange Network (CIEN). They also called for the expansion of the CIEN, but the US questioned the viability of integrating the clearinghouse mechanism and the CIEN. The ARAB GROUP emphasized the need for technology transfer and sharing of best practices through regional and sub-regional centers. IPEN urged parties to define the responsibilities of stakeholders and beneficiaries. The GLOBAL INDIGENOUS PEOPLES' CAUCUS stressed the adverse impacts of endosulfan and other POPs on indigenous people due to lack of information.

REPORTING: The Secretariat introduced the documents (UNEP/POPS/COP.5/29 and UNEP/POPS/COP.5/INF/23-24). The EU called on the Secretariat to contact parties who have not submitted reports in an attempt to identify obstacles. CHILE called for a synergistic approach to reporting for the Stockholm and Basel Conventions. SWITZERLAND suggested that parties make use of lessons learned on reporting from other processes including Strategic Approach to International Chemicals Management. VENEZUELA requested that the online reporting tool be made available earlier to facilitate timely submissions by parties. CANADA urged that the strategy to increase the rate of submission of national reports by parties be developed in consultation with the Bureau. IPEN invited the GEF to establish an "appropriate mechanism" to assist developing countries in drawing up their national reports. CHINA and MOROCCO urged the Secretariat to streamline their online reporting tool. The Secretariat will prepare a draft decision on this matter.

NON-COMPLIANCE: Revisiting this issue, President Blaha called on delegates to identify a compromise or revisit non-compliance at COP6. The EU, with CANADA and CIEL, called for the adoption of the Chair's text from COP4 "as it stands," with CANADA noting that if this was not possible, the original notes from the work done at COP1 as well as the Chair's text from COP4 should be used as a basis for discussions at COP6. GRULAC called for a trust fund to be established to assist developing countries and countries with economies in transition in meeting compliance obligations. The AFRICAN GROUP supported the use of the Chair's text from COP4 as a basis for discussion. CHINA stressed that the deep-seated problems surrounding the establishment of a compliance mechanism need to be addressed, and, with INDONESIA, called for adequate financial and technical assistance to be made available for developing countries' compliance obligations.

INDIA underscored the need for negotiations on a compliance mechanism to proceed in tandem with the provision of financial resources, and recommended continuing consideration in the intersessional period. In response, the EU stressed the Convention has a financial mechanism, that the consultative process on financing chemicals and waste is currently taking place, and that a compliance mechanism would be beneficial to all parties. The US emphasized that the proposed compliance mechanism would be facilitative, not punitive, and would assist parties in complying with treaty obligations.

President Blaha proposed to adopt a decision ensuring negotiations continue at COP6, and delegates agreed to consult regionally on this proposal.

CONTACT GROUPS

BUDGET: Kerstin Stendahl (Finland) facilitated the group that met throughout the morning. It considered the text of the budget decision, initiated discussion on the budget's baseline, and was yet to consider the item on financial rules. They will convene a joint session with the Synergies contact group to identify complementarities.

SYNERGIES: The contact group, chaired by Osvaldo Álvarez (Chile), met during the afternoon and evening. Participants agreed to delete several of the proposed joint activities for possible inclusion in the programmes of work of the three conventions.

The group reconvened in the evening to discuss the review arrangements, focusing on the terms of reference for the preparation of the report by the secretariats of the three conventions, and therefore by UNEP and the FAO.

FINANCE: In the morning, delegates considered financial resources, notably the draft terms of reference for the third review of the financial mechanism and for the needs assessment. On consolidating guidance to the GEF, participants agreed this could be postponed to COP6 so as to coincide with the sixth GEF replenishment process. On facilitating work on financing, in response to calls that form should follow function, delegates initiated discussions on needed functions.

In the afternoon, the group addressed technical assistance. They considered the nominated regional centres, including through the systematic review of updated tables by the Secretariat on submissions and activities by nominated centres. Participants also discussed a proposal to develop lists of technology needs and of available technologies, and to assess technical assistance and technology transfer.

ENDOSULFAN AND NEW POPS: The contact group on endosulfan and new POPs met in the morning. After review of CRP.10, submitted by Norway, on further activities for POPRC, the group divided into two sub-groups, one working on endosulfan and the other on POPRC's recommendations on elimination of BDEs from the waste stream and risk reduction for PFOS. The group on endosulfan discussed how to: list endosulfan sulfate; list crop-pest complexes; and assess alternatives to endosulfan. In the afternoon, a drafting group convened to prepare draft decisions on listing endosulfan, a work programme to address alternatives to endosulfan, and work programmes on new POPs.

OTHER MATTERS

The Secretariat introduced notes on official communications with parties and observers (UNEP/POPS/COP.5/28) and NGOs seeking accreditation to COP meetings (UNEP/POPS/COP.5/INF/31). Delegates requested the Secretariat to prepare draft decisions on these matters.

IN THE CORRIDORS

Upon hearing news of efficient progress in the contact group meetings on Wednesday, President Blaha likened himself to Alice in Wonderland, as he excitedly anticipated a timely completion of COP5's work.

Others were more cynical, and alluded to a trip down the rabbit hole - leading straight back to COP4. They complained of a slightly painful sense of déjà vu as delegates failed to make progress on deliberations on a compliance mechanism. Citing the circular arguments of some countries, they said they were confused by the logic of demands that agreement on compliance be contingent on provision of additional finance. As the GEF was recently replenished, and a broader discussion on chemicals and wastes financing is being coordinated by the UNEP Executive Secretary, they expressed bewilderment about what more could be done.