



SIMULTANEOUS COPs HIGHLIGHTS: MONDAY, 29 APRIL 2013

BC COP11, RC COP6, SC COP6, and the simultaneous ordinary meetings of the Conferences of the Parties to the three conventions convened for its second day on Monday, 29 April 2013. In the morning delegates resumed their discussion on financial resources, and initiated discussion on reporting and waste issues related to POPs. During the afternoon delegates discussed compliance.

Contact groups on Budget and Synergies and Technical Assistance and Financial Resources met throughout the day.

SIMULTANEOUS SESSIONS OF THE ORDINARY MEETINGS OF THE COPs ON TECHNICAL ASSISTANCE AND FINANCIAL RESOURCES

FINANCIAL RESOURCES: During the morning plenary, President Balicka invited parties to continue the discussion on financial resources.

NORWAY recognized the need to increase financial resources for the three conventions and proposed discussing this in a contact group. The EU supported UNEP GC decision 27/12 on financial resources, including programmes on institutional strengthening.

NEPAL, EGYPT and LEBANON stressed the importance of predictable, adequate and sustainable financial resources for the implementation of the conventions. JORDAN said that the issue of financial resources is the "cornerstone" for ensuring sustainability of the SC.

CHINA, supported by IRAN, suggested that integrated financing is only one of the necessary measures, and stressed the principles of the Stockholm Convention, requiring developed countries to fund the incremental costs of phasing out POPs in developing countries.

The Secretariat then introduced documents on resource mobilization and sustainable funding (UNEP/CHW.11/19, UNEP/FAO/CHW/RC/POPS/EXCOPS.2/INF.22, and UNEP/FAO/RC/COP.6/14).

KENYA noted some of its projects lack funding for implementation, and, with TOGO, noted difficulties in accessing GEF funds. GABON underscored the problem of funding due to GEF focal point bottlenecks.

MALI called for financial and technical support for reducing the environmental impact of mercury.

INDIA and MOROCCO emphasized that the ratio of co-financing required by the GEF is too high, with INDIA suggesting offering as co-finance facilities, such as laboratories, rather than funds.

VENEZUELA, SUDAN, YEMEN and LIBERIA called for a financial mechanism to strengthen the Basel and Rotterdam conventions, and NAMIBIA suggested GEF as an appropriate mechanism. SENEGAL underscored the impossibility of discussing synergies when only one convention has a financing mechanism.

MAURITIUS encouraged exploring financing mechanisms beyond the GEF, noting in particular the responsibility of industry and other generators of waste to contribute to project development and financing. IRAQ called for the establishment of a multilateral fund.

PAKISTAN called for contributions to a robust financial mechanism from developed countries, including private companies and state governments.

BRAZIL said an integrated approach to financing should not impose additional obligations on developing countries.

Noting that only 9% of the GEF budget is allocated to chemicals and wastes, IPEN underscored that this focal area is "underfunded."

President Balicka proposed, and parties agreed to establish a contact group on Technical Assistance and Financial Resources, mandated with preparing a draft decision for possible inclusion in the omnibus decision on enhancing cooperation and coordination.

REPORTING AND WASTE ISSUES RELATED TO

POPS: BC COP6 President Perrez introduced discussions on reporting under the BC and SC (UNEP/FAO/CHW/RC/POPS/EXCOPS.2/INF/10, UNEP/POPS/COP.6/26, 26/Add.1 and INF/28, and UNEP/CHW.11/13 and INF/19).

On national reporting, parties discussed improving report completion and timelines for both conventions. The Joint Secretariat highlighted barriers to reporting for each convention, including: for the BC, a lack of inventories of hazardous wastes and difficulties in coordinating data collection; and for the SC, problems related to online system log-in and key government personnel changes.

JAPAN supported continuing development of the e-reporting system. Recognizing low and declining submission rates, AUSTRALIA called for additional efforts including streamlining the scope of information required in questionnaires and making online reporting systems more user-friendly. The EU noted the potential for synergies among reporting requirements of the Basel and Stockholm conventions, SAICM and the mercury instrument. NORWAY and LEBANON said the reporting formats should be simplified. CANADA noted that not a single BC party had reported on time and in full.

GUINEA cited difficulties in reporting due to unclear reporting criteria and communication problems. EGYPT suggested the reporting format include space to report obstacles. IRAN noted its difficulty in completing reports on time due to the amount of information required. Zambia, on behalf of the AFRICAN GROUP, noted obstacles to reporting include lack of data, connectivity problems, and the time required. ECUADOR said the lack of a unified system makes reporting difficult. MEXICO noted it is "impossible to capture information" in the electronic format.

MOROCCO said national reporting could be used as a tool to access financial resources. TUNISIA requested national reporting training. BAHRAIN suggested questionnaire-based national reporting. MALAYSIA supported a more user-friendly reporting format.



CHILE suggested a regional capacity-building event to share BC reporting experiences. IPEN suggested circulating the draft reporting user manual to parties, IGOs and NGOs for comments.

Parties then agreed to establish a drafting group on BC reporting chaired by Sara Broomhall (Australia).

On wastes issues related to POPs, the Joint Secretariat introduced the relevant documents (UNEP/CHW.11/7 and INF/33, and UNEP/POPS/COP.6/14 and INF/7), and outlined work undertaken by the BC OEWG and a small intersessional working group (SIWG) on updating general and POP-specific technical guidelines for environmentally-sound management (ESM) of POPs waste.

As SIWG Chair, CANADA said it would provide a detailed report on intersessional work to the contact group. Noting guidance for recycling PBDEs had been developed under the SC, she said the SC should defer to the BC in the area of wastes.

The EU encouraged further cooperation among BC and SC experts, lauding a BC decision to invite experts, including under the SC, to participate in Basel intersessional work.

IPEN underscored the “painfully slow” progress on low-POPs levels under the BC and suggested POPRC address this as part of their evaluation of newly proposed POPs, with the support of Basel experts. The Joint Secretariat said no proposals have been received from parties on this issue.

COMPLIANCE AND LEGAL ISSUES: President Álvarez chaired the session and the Secretariat introduced the documents regarding the Committee for Administering the Mechanism for Promoting Implementation and Compliance of the Basel Convention (ICC) (UNEP/CHW.11/10 and Add.1, UNEP/CHW.11/11 and INF/14 and INF/18).

ICC Chair Anne Daniel (Canada), reported that the ICC met in November 2012, worked interessionally by e-mail, and held informal consultations. She reported that specific submissions regarding party implementation and compliance have been received from 9 parties.

The EU supported broadening the Secretariat trigger, but expressed concern over expanding the implementation fund. JAPAN supported partnerships to address illegal trafficking, and questioned the budgetary implications of additional meetings. NORWAY supported additional meeting time. SWITZERLAND supported a broad interpretation of the BC regarding end-of-life ships.

Kenya, on behalf of AFRICAN GROUP, highlighted its inadequate capacity to monitor transboundary movements and trade of end-of-life products. The Center for International Environmental Law (CIEL) and IPEN said the Secretariat trigger should be permanent and applicable to the SC.

During the afternoon, delegates discussed lessons learned from the ICC. The Joint Secretariat outlined the ICC, including, its facilitative nature, and its use of both self- and Secretariat-triggers.

KAZAKHSTAN, supported by KYRGYZSTAN, called for discussion of BC bans on transit of dangerous goods and the need to export dangerous goods for destruction to comply with the SC.

The EU noted that BC compliance is not contingent upon financial support.

CUBA said some ICC characteristics are applicable to the RC but not the SC, as implementation requirements differ. CHINA said any compliance mechanism should not be punitive. IRAN called for confirmation of provisions on technology transfer and financial assistance. INDIA called for a facilitative mechanism with a self-trigger.

The Joint Secretariat then introduced the document on procedures and institutional mechanisms for determining non-compliance with the RC (UNEP/FAO/RC/COP.6/13). President Álvarez noted this will serve as the basis for discussion.

AUSTRALIA supported consensus-based decision-making and a limited trigger. The EU noted that three issues remain unresolved: submissions, information, and decision-making. NORWAY said the mechanism should be facilitative, but should include other measures to be applied only after the exhaustion of facilitative incentives. SWITZERLAND called for a supportive compliance mechanism that can identify systemic non-compliance issues. NEW ZEALAND called for an effective, forward-looking, transparent, flexible and fair mechanism. CHINA said a mechanism should be conducive to compliance.

JAPAN stressed the importance of reaching agreement, and offered financial assistance to the ICC. ARGENTINA said the mechanism should be transparent.

The Secretariat then introduced the document on procedures and institutional arrangements for determining SC non-compliance (UNEP/POPS/COP.6/29). He noted the SC COP President had requested Anne Daniel to initiate consultations on the issue. Daniel reported she had conducted constructive consultations with China, and the EU, and had produced a draft compromise text on procedures and mechanisms on compliance (Annex II to document UNEP/POPS/COP.6/29).

CHINA called for “collective responsibility” for compliance with every provision, including financial arrangements and technology transfer.

The EU, supported by SWITZERLAND and NEW ZEALAND, reminded parties that the SC specifies the establishment of a compliance mechanism and said that, given the adoption of a compliance mechanism in the Minamata Convention and the UNEP decision on an integrated approach to financing for chemicals and wastes, “no delay is necessary.” INDIA questioned reference to the compliance mechanism in the Minamata Convention text, given its different objective.

CAMEROON, supported by KENYA, said NIPs are appropriate instruments for compliance.

JAPAN said they could not support text indicating developed countries have “an obligation” to provide financial and technical assistance, but that they are willing to provide assistance.

CIEL underscored the need for a compliance mechanism and that non-compliance is a “life or death” choice for peoples of the Arctic.

A contact group on compliance and other legal matters, chaired by Jimena Nieto (Colombia) and Anne Daniel (Canada), was then established.

CONTACT GROUPS

BUDGET AND SYNERGIES: The group, co-chaired by Gregor Filyk (Canada) and Karel Blaha (Czech Republic), met throughout the day. On the budget, Chair Filyk noted budgetary work needs to be completed by the SC’s conclusion on 2 May. Executive Secretary Willis highlighted several items, including that Italy paid its host country arrears and much of its 2013 contribution. He also suggested the group decide how to allocate savings realized by synergies. Participants discussed the policy implications of reducing the size of the SC Bureau, and future savings from synergies.

On synergies, Chair Blaha invited comments on the draft omnibus decision (UNEP/FAO/CHW/RC/POPS/EXCOPS.2/CRP.1). Some parties expressed concerns about the review of synergies arrangements. Several parties supported collaboration with the Minamata Convention on Mercury, while a few expressed concern. Several developing countries underscored that synergies should facilitate national and regional implementation.

In the afternoon, the group agreed to work from the zero nominal budget scenario and discussed the review with the UNEP and FAO evaluation offices.

TECHNICAL ASSISTANCE AND FINANCIAL RESOURCES: The group, co-chaired by Mohammed Khashashneh (Jordan) and Reginald Hernaus (the Netherlands), initiated discussions on technical assistance and financial resources. The group agreed to first address the draft decisions for the SC (UNEP/POPS/COP.6/18-21, 23-25).

Participants discussed, *inter alia*: improving information-gathering techniques for technical assistance needs; timing of evaluation and support for regional centres; and, on financial resources, the GEF replenishment.

IN THE CORRIDORS

Monday saw participants dive into work, with a packed plenary alongside enthusiastically-attended contact groups on Budget and Synergies and on Technical Assistance and Financial Resources. Gulping coffee in the brief breaks between sessions and side events, several participants mentioned that regional centres and financial matters were discussed in both contact groups. This prompted questions about the complexity of separating and delineating issues in what one called a “synergized,” and another a “simultaneous,” atmosphere. Yet most remained optimistic that their work would clarify the initial apparent murkiness.