



## POPS INC-4 HIGHLIGHTS: TUESDAY, 21 MARCH 2000

After a brief morning Plenary to hear updates from working groups, the IAG continued consideration of technical assistance (Article J) and financial resources and mechanisms (Article K), and the NG discussed national implementation plans (Article E) opened debate on measures to reduce or eliminate releases (Article D).

### PLENARY

Following briefings on working groups' progress, Jim Willis, UNEP Chemicals, presented POPs Club certificates to the Netherlands, France, the European Commission, Germany, Japan and Thailand in recognition of their financial contributions.

### IMPLEMENTATION ASPECTS GROUP

**TECHNICAL ASSISTANCE (ARTICLE J):** Delegates considered a revised text incorporating the previous day's discussion. On the paragraph calling on parties to provide technical assistance, CAMEROON stressed including language on developing and strengthening infrastructure. The EU expressed difficulty with the imprecision of "infrastructure" and specified "institutional infrastructure." CAMEROON opposed, noting a broader need for infrastructure. In response to a Canadian proposal for streamlined text, INDIA stressed the importance of retaining text recognizing that timely and appropriate technical assistance is essential to successful implementation of the convention. CAMEROON suggested revisiting the text after finalizing the preamble. All contested text remains bracketed.

The IAG agreed on broad chapeau language introducing a list of types of technical assistance but did not agree on references to assistance being provided by "developed countries" or "as mutually agreed." On assistance to review available infrastructure, capacity and institutions at different levels, and to examine options for strengthening them, NEW ZEALAND specified "needs and" options. The IAG bracketed text on assistance to compile inventories and release registers due to the related negotiations in the NG on by-products. It agreed on assistance to develop and implement national implementation plans (NIPs) taking into account national priorities.

On assistance for training decision makers, managers and personnel responsible for collection and analysis of data regarding POPs effects, the IAG retained brackets on text extending this to collection and analysis required by the proposed harmonized global monitoring programme.

Regarding assistance to develop and strengthen training and research capacity for monitoring POPs releases, continuously reducing the use of POPs, and identifying, developing and introducing environmentally sound alternatives such as IPM, the IAG agreed to omit reference to IPM. The US said "continuously" reducing is not appropriate. AUSTRALIA proposed "maintain efforts to reduce." The PHILIPPINES, with PAKISTAN, preferred language referring to elimination. CANADA, supported by the US,

proposed "maintaining efforts to reduce or eliminate use." The EU supported retention of "continuously." CANADA proposed "maintaining efforts to continuously reduce or eliminate." Delegates agreed to keep the Canadian proposal with brackets.

On assistance to develop, implement, and enforce regulatory controls and incentives, SAMOA requested clarification on the type of incentives. INDIA suggested less prescriptive language. Delegates agreed to language for technical assistance "to assist in implementing and enforcing regulatory controls, including all appropriate techniques for enforcing those controls."

Regarding assistance to destroy existing stockpiles of obsolete POPs, the US, supported by the EU, called to bracket text in order to allow consideration of related initiatives and agreements, including the Basel Convention. Noting that not all developing countries are Parties to Basel, CAMEROON opposed bracketing the text and underscored that technical assistance be provided to "identify and" destroy existing stockpiles. AUSTRIA observed that the provision requires correlation with outcomes on Article D. The IAG accepted adding "identify and" but bracketed the provision, as well as a provision on assistance to identify and decontaminate sites affected by POPs, pending outcomes on Article D.

BRAZIL, INDIA and CHINA bracketed reference to assistance to "facilitate private sector involvement." CAMEROON supported such assistance but agreed clarification of the intent is necessary. The EU said the private sector has a role to play and stressed the obligation is "to facilitate." The text remains bracketed.

Regarding assistance to promote access to, and transfer of, clean and environmentally sound technologies, as mutually agreed and in accordance with national legislation, MICRONESIA supported deleting the reference to national legislation. The PHILIPPINES proposed referring to assistance to promote access to and the transfer of cleaner and/or ESTs appropriate or suitable under local conditions. The IAG agreed to this, excluded the reference to national legislation and retained "as mutually agreed" in brackets. A drafting group was established to integrate text on this and assistance to transfer best available technologies and related matters.

On arrangements for providing technical assistance, CANADA proposed draft text for a "capacity assistance network" to coordinate available resources and demand for POPs activities. She clarified that the proposed network would not disperse resources. AUSTRALIA, SWITZERLAND and NEW ZEALAND supported the proposal. INDIA called to bracket text within the proposal referring to private sector involvement. MICRONESIA preferred a clearing-house mechanism (CHM) capable of providing funds and, with CAMEROON, suggested a new article on a CHM. A drafting group was established to further the proposal.

On including technical assistance information in national reports, the EU opposed text regarding the Secretariat submitting reports on technical assistance to the COP, and CANADA questioned whether information to be included in NIPs would be better addressed under Article L.

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### FINANCIAL RESOURCES AND MECHANISMS

(ARTICLE K): The EU cautioned that establishing a new financial mechanism would be costly and time consuming, and suggested the GEF act as the mechanism. AUSTRALIA supported a role for the GEF as part of bilateral, multilateral and regional funding. PAKISTAN and MICRONESIA opposed using the GEF, expressing concern that the GEF would consider POPs a peripheral issue. The US supported development of a framework for providing assistance, and the US cautioned that a new fund could impede ratification. CANADA said using existing mechanisms would facilitate immediate funding and optimize synergies. CHINA stressed the value of the Montreal Protocol as a model.

CAMEROON expressed caution over use of existing mechanisms, noting many of them have a history of dictating how developing countries use funds. WWF INTERNATIONAL drew attention to a WWF options paper for financial mechanisms and stressed, *inter alia*, equitable governance, a streamlined project cycle, transparency and flexibility to address cross-cutting issues.

### NEGOTIATING GROUP

NATIONAL IMPLEMENTATION PLANS (ARTICLE E): COLOMBIA, supported by CANADA, the REPUBLIC OF KOREA, the US, ICELAND and VENEZUELA, called for consistency between NIPs and the action plans relating to reduction of by-products. Many delegations, including TANZANIA, IRAN, LESOTHO, CHINA, ECUADOR, MALAYSIA and CHILE, supported retaining language on developing NIPs consistent with capabilities, and subject to the accessibility of financial and technical assistance. The RUSSIAN FEDERATION said assistance should also be "sufficient," and VENEZUELA added "timely." CANADA and the US called to delete the text.

Regarding reference to developing regional plans, CANADA said NIPs are mandatory and regional plans supplementary, and "regional" remains bracketed. The GAMBIA proposed reference to subregional plans. SOUTH AFRICA, supported by JAMAICA, called for inclusion of a subarticle noting all areas of the convention that require technical and financial assistance.

Following the suggestions of a number of delegates, the NG agreed that the plans should be developed "for" the implementation of the convention's provisions. The EU suggested removing the requirement for regional economic integration organizations to develop regional implementation plans.

Many countries, including JAPAN, the REPUBLIC OF KOREA, MALI, the GAMBIA, the RUSSIAN FEDERATION, SOUTH AFRICA, COLOMBIA, ICELAND and IRAN suggested that the plan should be developed within one year of the convention entering into force. CANADA withdrew its earlier preference for a six-month timeframe. POLAND, supported by the RUSSIAN FEDERATION, the REPUBLIC OF MOLDOVA and LESOTHO, supported a two-year period. Both proposed timeframes remain bracketed. Delegates agreed that the COP should not determine the plan's schedule or format, and deleted reference to this. INDIA, supported by ARGENTINA, suggested a possible guidance document instead.

JAPAN, the EU, the RUSSIAN FEDERATION, the REPUBLIC OF KOREA, ICELAND, URUGUAY, ECUADOR and CHINA suggested removing a clause referring to the content of updated plans. NIGERIA, INDONESIA and KUWAIT opposed. JAPAN, CANADA, the REPUBLIC OF KOREA, ICELAND and TANZANIA suggested that parties "may" cooperate with competent international, regional and subregional organizations in developing, updating and implementing plans. The GAMBIA, MALAYSIA, LESOTHO and ECUADOR preferred "shall." Delegates agreed to delete the qualifier "competent," following request for clarification of the term by IRAN and VENEZUELA. JAMAICA, supported by the WORLD HEALTH ORGANIZATION, added reference to cooperating with national stakeholders.

MEASURES TO REDUCE OR ELIMINATE RELEASES (ARTICLE D): **By-products:** Chair Buccini invited delegates to consider the text on by-products as amended by the LDG. The EU emphasized that the text should reflect a long-term political commitment to the "elimination" of by-products, arguing that elim-

ination is not the same as reduction to zero. NIGERIA, the GAMBIA, CHAD, the PHILIPPINES, ZAMBIA, MALAYSIA and ALGERIA advocated retaining reference to the ultimate elimination of by-products. The US said it understood elimination to mean reduction to zero, and, with the REPUBLIC OF KOREA, CANADA, JAPAN, THAILAND, AUSTRALIA, the RUSSIAN FEDERATION and NEW ZEALAND, opposed reference to ultimate elimination, noting that elimination is technically impossible and an unrealistic goal. The US and CANADA noted that inclusion of elimination language might limit addition of other by-products to the related Annex C on chemicals subject to release reporting and release reduction or elimination measures. The US proposed including reference to elimination in the preamble and objective. The SEYCHELLES said they would support removing reference to elimination if the text relating to capacity and technical and financial assistance is retained. JAMAICA, supported by SOUTH AFRICA and NEPAL, proposed the ultimate elimination of by-products, "where realizable." GREENPEACE INTERNATIONAL urged delegates to appreciate that "the future of the planet is in your hands." He expressed alarm at those delegates who opposed elimination, and suggested that the comments, mainly from JUSCANZ, were based on political rather than technical considerations.

Expressing concern with the limited value-added of the Secretariat's paper on best available technologies, ICELAND proposed reference to "best available prevention strategies for by-products" and provided a detailed definition. NORWAY stressed that best available technologies be obligatory for all new major sources.

AUSTRALIA, with the REPUBLIC OF KOREA, supported reference to releases derived from anthropogenic sources. NORWAY, supported by the EU, ICELAND, SOUTH AFRICA and MALAYSIA, proposed text promoting the use of available substitute materials, products and techniques. NIGERIA proposed a separate obligatory provision on substitute materials, products and technologies.

Noting that more aggressive action could be taken on new sources, CANADA urged differentiating between new and existing sources. JAPAN supported establishing major source inventories, which the COP could possibly identify. AUSTRALIA supported identifying sources in the convention. THAILAND emphasized difficulties in promoting control measures without financial commitments, techniques and expertise.

SOUTH AFRICA called for clarity on the definition of by-product. URUGUAY, ARGENTINA, the RUSSIAN FEDERATION and BRAZIL called for clarification that the provision was addressing unintentionally produced by-products. NEW ZEALAND made the distinction between "unintentional" and "unwanted" by-products. JAMAICA emphasized that the provision addresses by-products from production processes.

Chair Buccini established a contact group, chaired by Halldor Thorgeirsson (Iceland), to address, *inter alia*: bracketed chapeau language regarding elimination; proposals by the EU, Norway and Nigeria on substitute materials; the provision related to national action plans; the concept of anthropogenic sources; and Annex C.

### IN THE CORRIDORS

As delegates began tackling the contentious issue of by-products and reaffirming their positions on elimination, some hinted at a growing sense of frustration among opposing developed country groups resulting from perceived intransigence on the part of one group. Some suspect an important player may step forward with a more conciliatory approach on elimination.

### THINGS TO LOOK FOR TODAY

**PLENARY:** Plenary will meet at 3:00 pm.

**WORKING GROUPS:** The IAG will meet at 10:00 am to address Article K, and may meet again in the evening to finalize the report of its work. The NG will meet at 10:00 am to consider provisions on waste and stockpiles under Article D.