



HIGHLIGHTS FROM THE PREPARATORY MEETING FOR THE CONFERENCE OF PLENIPOTENTIARIES ON THE STOCKHOLM CONVENTION ON PERSISTENT ORGANIC POLLUTANTS: 21 MAY 2001

The Preparatory Meeting for the Conference of Plenipotentiaries on the Stockholm Convention on Persistent Organic Pollutants (POPs) met today in Stockholm to complete preparation of the resolutions to be considered by the Conference of Plenipotentiaries (Diplomatic Conference) which begins today. The Preparatory Meeting approved resolutions on a tribute to the Government of the Kingdom of Sweden, liability and redress and a capacity assistance network. The final resolution on interim arrangements was approved at 6:30 pm, and the Preparatory Meeting was adjourned.

PLENARY

OPENING OF THE MEETING AND ORGANIZATIONAL MATTERS: Jim Willis, Director, UNEP Chemicals, opened the Preparatory Meeting and thanked the Government of Sweden for hosting and funding the Preparatory Meeting and the Conference of Plenipotentiaries. In opening remarks, SWEDEN welcomed everyone to Stockholm.

Jim Willis then recalled that a number of resolutions were not agreed to during the fifth session of the Intergovernmental Negotiating Committee (INC-5) in Johannesburg due to time constraints, including those on interim arrangements, a capacity assistance network, liability and redress, and a tribute to the Government of the Kingdom of Sweden (UNEP/POPS/CONF/PM/2/Rev.1). Reminding delegates that this was a celebratory meeting, he urged delegates to work expeditiously and with the spirit of compromise.

Delegates provisionally adopted the Rules of Procedure (UNEP/POPS/CONF/PM/INF/1), and elected INC Chair John Buccini (Canada) as Chair of the Preparatory Meeting. Chair Buccini proposed that members of the INC Bureau – Maria Cristina Cardenas Fischer (Colombia), Darka Hamel (Croatia) and Ephraim Buti Mathebula (South Africa) – be elected, noting that a new nominee was required by the Asia-Pacific Group. Ali Abu Hasani (Iran) was later elected from the Asia-Pacific Group. IRAN, on behalf of the G-77/CHINA, proposed that the Rules of Procedure for future INCs be amended to increase Bureau membership from five to ten members. With a note regarding the G-77/China proposal, delegates adopted the full Rules of Proce-

cedure *mutatis mutandis*. Darka Hamel was elected Rapporteur, and delegates adopted the agenda and the organization of work (UNEP/POPS/CONF/PM/1).

PREPARATION OF RESOLUTIONS: Delegates then turned to the preparation of resolutions for the Conference of Plenipotentiaries.

Tribute to the Government of the Kingdom of Sweden: Delegates approved a resolution giving tribute to the Government of the Kingdom of Sweden for hosting the conference.

Liability and Redress: The Preparatory Meeting discussed the resolution on liability and redress, the entire text of which was bracketed. Regarding a proposal to hold a workshop on liability and redress, the G-77/CHINA proposed amendments to: ensure the workshop is open-ended; clarify the mandate of the workshop; and reflect the principle of common but differentiated responsibilities. The RUSSIAN FEDERATION emphasized the need for scientific and technical foundations for liability and redress. AUSTRIA, host of the proposed workshop, stressed its scientific and open nature. Stressing that agreement on the resolution had already been reached at INC-5, and highlighting time constraints and difficulties with addressing liability and redress issues in the context of POPs, the US, with AUSTRALIA, CANADA, JAPAN and the EU, called for adopting the resolution without amendment. The G-77/CHINA withdrew its proposals, and with a note outlining Russian Federation and G-77/China submissions in the record of the meeting, delegates approved the resolution.

Capacity Assistance Network: As the original proponent of a capacity assistance network (CAN), CANADA outlined the history of the resolution and introduced proposed revisions (UNEP/POPS/CONF/PM/CRP.1). She explained that the mechanism, initially introduced at INC-2, would be part of the Convention and would coordinate and facilitate access by developing countries and countries with economies in transition to technical and financial assistance.

The G-77/CHINA introduced an alternative resolution on capacity building and a CAN (UNEP/POPS/CONF/PM/CRP.2), emphasizing that it is the prerogative of signatories to agree on the design of a CAN. CANADA, with the EU and the US, suggested replacing all references to "Parties" with "signatories," which was accepted by the Plenary. She also questioned text referring to the development of frameworks for capacity building. The EU suggested, and delegates accepted, replacing this language with "arrangements." CANADA proposed additional text on UNEP "as the interim Secretariat" and the Chief Executive Officer of the

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GEF "to act in cooperation" to develop the modalities for a CAN. Representatives from UNEP and the GEF confirmed that cooperative efforts were already underway, and the text was agreed.

Delegates also accepted suggestions by the US to add reference to NGO involvement in providing assistance, and to sources of assistance outside of those to be provided by "the principal entity of" the financial mechanism of the Convention. Arguing that a CAN will not provide assistance, the EU proposed, and delegates supported, deleting reference to the value of a mechanism to facilitate and coordinate access to "and provisions of" technical and financial assistance. The resolution was approved as amended.

Interim Arrangements: Regarding the resolution on interim arrangements, the G-77/CHINA said the subsidiary body referred to should not list chemicals during the interim period. The G-77/CHINA, supported by CANADA, the US, NEW ZEALAND, AUSTRALIA and the RUSSIAN FEDERATION, proposed deleting existing paragraphs on the interim subsidiary body and replacing them with a paragraph inviting the INC to recommend draft rules of procedure, composition, and operational guidelines for the functioning of the subsidiary body to be established under Article 19 (Conference of the Parties) for the consideration by the COP at its first session. The EU supported language on a subsidiary body to look at possible new candidate POPs before entry into force of the Convention. SWITZERLAND suggested a chemicals review committee similar to that established during the interim period under the Rotterdam Convention. NORWAY said that although the decision to add new chemicals must be taken by the COP, the identification process may take considerable time and that the procedure for a subsidiary body should be decided by the INC.

In the afternoon and after EU consultations, the EU, supported by POLAND, suggested adding, to the G-77/China proposal, language on establishing an interim subsidiary body to carry out the functions entrusted to it in accordance with Article 8 (Listing of chemicals). The G-77/CHINA, AUSTRALIA, CANADA, the RUSSIAN FEDERATION, the US and JAPAN objected. The EU also supported a paragraph calling on States to prepare proposals on the listing of new chemicals under the Convention.

Regarding a paragraph on INC activities during the interim period, the US and CANADA advocated elaborating a list of activities that would facilitate the rapid entry into force of the Convention. The US stated that assisting countries in fulfilling their obligations under the treaty should be the priority during the interim period. The EU suggested a more general paragraph without specifying activities. Chair Buccini asked the US to facilitate informal discussions on elaborating a list of activities. In the afternoon, the US reported on these consultations, describing a proposed list that includes, *inter alia*: guidance on the preparation of implementation plans and action plans; guidance for the financial mechanism and technical assistance; periodicity and format of reports by Parties; arrangements to provide comparable monitoring data; rules of procedure and financial rules; guidelines on best available techniques; and work on DDT. The US said the list reflects the heavy load of work that needs to be done on the 12 currently listed POPs. While acknowledging this, the EU said there were still other POPs that needed attention. As a package, the EU said it could consider accepting this proposed list if other delegations would take the EU concerns into account, and further modified its proposal on a subsidiary body by asking the INC to "consider" establishing such a subsidiary body on an interim basis. NORWAY supported this proposal, while the G-77/CHINA opposed. Noting that the EU had softened its position, Chair Buccini asked that an informal group resolve these outstanding issues.

After informal consultations did not reach consensus, ICELAND, facilitator of the consultations, suggested to the Plenary that the EU proposal stating that the INC consider the possible establishment of a subsidiary body be relocated to the paragraph listing activities to be undertaken by the INC. The EU proposed adding language on considering the establishment, as appropriate, of an interim POPs review committee, but AUSTRALIA, the RUSSIAN FEDERATION and the US objected. Chair Buccini warned that if no agreement were reached, all unresolved paragraphs would be deleted from the resolution. CANADA proposed a separate paragraph inviting the INC to consider the establishment of any subsidiary body that may be required to assist in its work. SWEDEN accepted on the condition that the paragraphs be reordered.

The G-77/China proposal on inviting the INC to recommend draft rules of procedure, composition, and operational guidelines for the functioning of the subsidiary body to be established under Article 19 (Conference of the Parties) of the Convention was accepted without amendment. Text on the listing of chemicals was amended to encourage States and regional economic integration organizations to do preparatory work for the listing of chemicals after entry into force of the Convention. The resolution on interim arrangements was adopted in its entirety.

ADOPTION OF THE REPORT OF THE MEETING:

Delegates adopted the report of the meeting, which will be translated and distributed on Tuesday morning, 22 May.

IN THE CORRIDORS

Described by one participant as complete brinksmanship, delegates to the Preparatory Meeting did not leave one second to spare in the time allocated to negotiate the resolutions. As last-minute informal deliberations took place in the corridors, delegates in Plenary were warned that paragraphs from the resolution would be dropped if not resolved in time. However, delegates – showing their customary eleventh-hour spirit of cooperation – were able to come to a consensus and complete their task before the Conference of the Plenipotentiaries. While some delegates were disappointed with the conclusions reached regarding interim work on additional POPs, others gleefully rushed off to the reception hosted by the Stockholm City Council. Still others huddled around their documents trying to sort out exactly what had been agreed in the last-minute frenzy. In the end, however, everyone was relieved that consensus had been reached and celebratory moods prevailed in anticipation of the Diplomatic Conference.

THINGS TO LOOK FOR TODAY

The Diplomatic Conference will open at 10:00 am in the City Conference Center in Stockholm. UNEP Executive Director Klaus Töpfer will open the Diplomatic Conference. The Head of the host Government, Swedish Prime Minister Göran Persson, and Mohamed El-Ashry, CEO of the Global Environmental Facility, are expected to address the Diplomatic Conference. Kjell Larsson, Swedish Minister of Environment, is expected to preside as the President of the Conference. The morning session will cover organizational matters, including election of the officers, adoption of the agenda, appointment of the Credentials Committee and organization of work. In the afternoon, delegates will listen to the presentation by the Chair of the Preparatory Meeting, John Buccini. Then the Stockholm Convention on Persistent Organic Pollutants will be adopted, followed by adoption of the resolutions and the Final Act of the Conference.