



SUMMARY OF THE SIXTH SESSION OF THE INTERGOVERNMENTAL NEGOTIATING COMMITTEE FOR AN INTERNATIONAL LEGALLY BINDING INSTRUMENT FOR IMPLEMENTING INTERNATIONAL ACTION ON CERTAIN PERSISTENT ORGANIC POLLUTANTS: 17-21 JUNE 2002

The Sixth Session of the Intergovernmental Negotiating Committee (INC-6) for an International Legally Binding Instrument for Implementing International Action on Certain Persistent Organic Pollutants (POPs) was held from 17-21 June 2002, in Geneva, Switzerland. Approximately 400 delegates from more than 125 countries, including representatives of intergovernmental and non-governmental organizations, attended the meeting.

During the week, delegates discussed a number of issues relating to, *inter alia*, preparations for the Conference of the Parties (COP), and adopted decisions on: size of the Bureau; budget; DDT and Register of specific exemptions; the Expert Group on best available techniques and best environmental practices; wastes and stockpiles; implementation plans; the POPs Review Committee; a clearing-house mechanism; technical assistance; financial resources and mechanisms and the interim financial mechanism; effectiveness evaluation; non-compliance; and INC-7.

The Stockholm Convention was adopted and opened for signature on 22 May 2001. The treaty calls for international action on 12 POPs grouped into three categories: 1) pesticides: aldrin, chlordane, DDT, dieldrin, endrin, heptachlor, mirex and toxaphene; 2) industrial chemicals: hexachlorobenzene (HCB) and polychlorinated biphenyls (PCBs); and 3) unintended by-products: dioxins and furans. Governments are to promote best available techniques and environmental practices for replacing existing POPs while preventing the development of new POPs. Provision has also been made for a procedure identifying additional POPs and the criteria to be considered in doing so.

Key elements of the treaty include: the requirement that developed countries provide new and additional financial resources; control measures to eliminate production and use of intentionally produced

POPs, eliminate unintentionally produced POPs, where feasible, and manage and dispose of POPs wastes in an environmentally sound manner; and substitution involving the use of safer chemicals and processes to prevent toxic by-products. Precaution is operationalized throughout the Stockholm Convention, with specific references in the preamble, the objective and the provision on identifying new POPs.

Since the Stockholm Convention's adoption, 151 countries have signed the treaty, and 11 have ratified it (Canada, Fiji, Germany, Iceland, Lesotho, Liberia, Nauru, the Netherlands, Rwanda, Samoa and Sweden). The Convention will enter into force 90 days after receipt of the 50th instrument of ratification.

A BRIEF HISTORY OF THE POPS NEGOTIATIONS

During the 1960s and 1970s, the use of certain chemicals and pesticides in industry and agriculture increased dramatically. In particular, a certain category of chemicals known as persistent organic pollutants (POPs) attracted international attention due to a growing body of scientific evidence indicating that exposure to very low doses of POPs can lead to cancer, damage to the central and peripheral nervous systems, diseases of the immune system, reproductive disorders and interference with normal infant and child development. POPs are chemical substances that persist, bioaccumulate and pose a risk of causing adverse effects to human health and the environment. With

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further evidence of the long-range transport of these substances to regions where they have never been used or produced, and the consequent threats they pose to the environment worldwide, the international community called for urgent global action to reduce and eliminate their release into the environment.

Prior to 1992, international action on chemicals primarily involved developing tools for information exchange and risk assessment, such as the FAO's International Code of Conduct for the Distribution and Use of Pesticides and UNEP's London Guidelines for the Exchange of Information on Chemicals in International Trade. In 1992, the UN Conference on Environment and Development (UNCED) adopted Agenda 21. Chapter 19 of Agenda 21, "Environmentally Sound Management of Toxic Chemicals Including Prevention of Illegal International Traffic in Toxic and Dangerous Products," called for the creation of the Intergovernmental Forum on Chemical Safety (IFCS). Agenda 21 also called for the establishment of the Inter-Organization Programme on the Sound Management of Chemicals (IOMC) to promote coordination among international organizations involved in implementing Chapter 19.

In March 1995, the UNEP Governing Council (GC) adopted Decision 18/32 inviting the IOMC, the IFCS and the International Programme on Chemical Safety to initiate an assessment process regarding an initial list of 12 POPs. In response, the IFCS convened an *Ad Hoc* Working Group on POPs, which developed a workplan for assessing available information on the chemistry, sources, toxicity, environmental dispersion and socioeconomic impacts of the 12 POPs.

In June 1996, the *Ad Hoc* Working Group convened a meeting of experts in Manila, the Philippines, and concluded that sufficient information existed to demonstrate the need for international action to minimize the risks from the 12 POPs, including a global legally binding instrument. The meeting forwarded a recommendation to the UNEP GC and the World Health Assembly (WHA) that immediate international action be taken. In February 1997, the UNEP GC adopted Decision 19/13C endorsing the conclusions and recommendations of the IFCS. The GC requested that UNEP, together with relevant international organizations, prepare for and convene an intergovernmental negotiating committee (INC) with a mandate to develop, by the end of 2000, an international legally binding instrument for implementing international action, beginning with the 12 specified POPs. Also in February 1997, the second meeting of the IFCS decided that the IFCS *Ad Hoc* Working Group would continue to assist in preparations for the negotiations. In May 1997, the WHA endorsed the recommendations of the IFCS and requested that the World Health Organization (WHO) participate actively in negotiations of the international instrument.

INC-1: The first session of the Intergovernmental Negotiating Committee (INC-1) was held from 29 June to 3 July 1998, in Montreal, Canada. INC-1 established the Implementation Aspects Group (IAG) to address technical and financial assistance and requested the Secretariat to prepare a document for INC-2 containing material for possible inclusion in an international legally binding instrument. INC-1 also established the Criteria Expert Group (CEG) to elaborate proposals for science-based criteria, and to develop a procedure for identifying additional POPs as candidates for future international action. INC-1 directed the CEG to incorporate criteria pertaining to persistence, bioaccumulation, toxicity and exposure in different regions, taking into account the potential for regional and global transport.

CEG-1: The first session of the Criteria Expert Group (CEG-1) was held from 26-30 October 1998, in Bangkok, Thailand, to consider the CEG's programme of work. At CEG-1, delegates considered, *inter alia*, the development of a procedure for identifying additional POPs, including the information required at different stages of the procedure, and who would nominate, screen and evaluate a substance as a future POPs candidate.

INC-2: INC-2 was held from 25-29 January 1999, in Nairobi, Kenya. Discussions were largely based on the Secretariat-prepared outline of an international legally binding instrument. After general discussions on this document, delegates divided into the IAG and the Negotiating Group. The Negotiating Group examined the text of the outline and completed preliminary discussions on: measures to reduce or eliminate releases of POPs into the environment; national implementation plans (NIPs); information exchange; public information, awareness and education; and research, development and monitoring. The IAG held general discussions on possible capacity-building activities requiring technical and financial assistance.

CEG-2: The second session of the Criteria Expert Group (CEG-2) met from 14-18 June 1999, in Vienna, Austria, to build upon the work of CEG-1 in the development of scientific criteria and a procedure for adding additional POPs to the initial list of 12. The CEG proposed a procedure that provides for the establishment of a review committee to apply screening criteria and to prepare a risk profile and risk management evaluation for proposed substances. The CEG submitted its recommendations to INC-3.

INC-3: INC-3 met from 6-11 September 1999, in Geneva, Switzerland, adopted the report of the CEG and approved the CEG's recommendations as a basis for further negotiation. In the Negotiating Group, delegates made advances on language for articles on: measures to reduce or eliminate releases; NIPs; the listing of substances in annexes; and information exchange. In the IAG, delegates continued discussions on technical assistance and financial resources and mechanisms.

INC-4: INC-4 met from 20-25 March 2000, in Bonn, Germany. While INC-4 succeeded in drafting articles on technical assistance and financial resources and mechanisms, the text remained heavily bracketed, and developed and developing country positions remained divided. Delegates devoted much time to addressing control measures and made some headway on eliminating language with respect to by-products. INC-4 also addressed and made progress on articles regarding: NIPs; listing of substances; information exchange; public information, awareness and education; and research, development and monitoring.

INC-5: INC-5 met from 4-10 December 2000, in Johannesburg, South Africa, and concluded negotiations on the POPs convention in the early morning hours of Saturday, 10 December. Going into INC-5, countries were still divided over issues related to: financial resources and mechanisms; measures to reduce or eliminate releases; and the precautionary principle. Delegates met in various contact groups and more informally to address these issues throughout the week, and informal consultations on financial issues and the precautionary principle were held throughout the final night of the conference. Delegates agreed to resolutions on interim financial arrangements and issues related to the Basel Convention. A number of resolutions were also tabled addressing, *inter alia*, interim arrangements, a capacity assistance network (CAN) and liability and redress, but due to time constraints, discussions were postponed.



CONFERENCE OF PLENIPOTENTIARIES ON THE

STOCKHOLM CONVENTION: The Conference of the Plenipotentiaries convened from 22-23 May 2001, in Stockholm, Sweden. During the Diplomatic Conference, delegates adopted: the Stockholm Convention; resolutions adopted by INC-4 and INC-5, which address interim financial arrangements and issues related to the Basel Convention; resolutions forwarded by the Preparatory Meeting held on 21 May 2001; and the Final Act. At the Conference, a total of 91 countries and the European Community signed the Stockholm Convention, and a total of 115 countries and the European Community signed the Final Act of the Conference.

INTER-ORGANIZATION PROGRAMME FOR THE SOUND MANAGEMENT OF CHEMICALS (IOMC) MEETING ON NATIONAL IMPLEMENTATION PLANS FOR POPs:

This meeting was held in Montreux, Switzerland, from 28-30 January 2002. Participants agreed on goals relating to NIPs, guidance, and intergovernmental organizations. They also addressed NIPs as they relate to the Stockholm Convention, initial guidelines drafted by the Global Environment Facility (GEF), and the role of various organizations in supporting NIPs.

INC-6 REPORT

INC Chair John Buccini (Canada) opened INC-6 on Monday, 17 June 2002, and introduced Philippe Roch, Director of the Swiss Agency for the Environment, Forests, and Landscape. In his opening remarks, Roch welcomed delegates to Geneva, noting that INC-6 marks a shift from negotiation to implementation of the Convention. In this regard, he stressed: the importance of technical and financial assistance to developing countries and countries with economies in transition (CEITs); the need to collaborate with other multilateral environmental agreements (MEAs) and international organizations on implementation and burden sharing; and industry's responsibility to develop new chemicals in light of the Stockholm Convention. He urged the US to pledge an additional US\$100 million to the GEF at the upcoming G-8 Summit and offered to host INC-7 in Geneva. Jim Willis, UNEP Chemicals, delivering a message from UNEP Executive Director Klaus Töpfer, underscored the Stockholm Convention Secretariat's budgetary shortfall, congratulated the 151 signatories and 11 country ratifications and wished INC-6 a successful meeting.

Delegates then adopted the agenda (UNEP/POPS/INC.6/1/Add.1). Jim Willis reported on intersessional work and emphasized the transition of the Secretariat's role from supporting negotiations to the interim Convention Secretariat.

Chair Buccini then recalled a G-77/China proposal to expand the Bureau from five to ten members, including two members from each regional group. Algeria, the Bahamas, Canada, Colombia, the Czech Republic, Egypt, Kazakhstan, Nigeria, the Russian Federation, Samoa, Panama (on behalf of the Latin American and Caribbean Group (GRULAC)), and Uruguay, supported this proposal. After initial hesitation, Australia, Japan, Spain (on behalf of the EU), and the US, supported expanding the Bureau on the condition that this does not set a precedent for the Bureaus of other conventions. The INC agreed to expand the Bureau by consensus and amend the rules of procedure accordingly. The Bureau members are: Asia-Pacific – Seyed Reza Tabatabaei Shafiei (Iran) and Yue Ruisheng (China); Latin America and the Caribbean – Gonzalo Casas (Uruguay) and Tomás Guardia (Panama); Central and Eastern Europe – Natalia Karpova (Russian Federation) and Darka Hamel (Croatia); Africa – Fatoumata Jallow

Ndoye (The Gambia) and Mahi Boumediéne (Algeria); and Western Europe and Others – Manfred Schneider (Austria), and INC Chair John Buccini (Canada).

On Tuesday, 18 June, the Legal Drafting Group announced that Anne Daniel (Canada) would succeed Patrick Szell (UK) as its Chair.

During the week, delegates convened in Plenary, contact groups on best available techniques (BAT) and best environmental practices (BEP), on the POPs Review Committee (POPRC), and on technical assistance. The Legal Drafting Group (LDG) met in five sessions between Wednesday, 19 June, and Friday, 21 June.

REVIEW OF ONGOING INTERNATIONAL ACTIVITIES RELATING TO THE WORK OF THE CONVENTION

On the review of ongoing activities (UNEP/POPS/INC.6/INF/17), the Secretariat listed several activities including: workshops in conjunction with the Basel Convention, the WHO and the UN Food and Agriculture Organization (FAO) on PCB management; the dioxin toolkit; workshops on best practices; and a US-supported initiative to develop information exchange databases throughout Africa. The WHO described its POPs-related activities and highlighted a guidance document produced in collaboration with the FAO and UNEP on alternative strategies for sustainable pest and vector management. The FAO provided an overview of its activities related to POPs pesticides. An update on the Information Exchange Network on Capacity Building for the Sound Management of Chemicals (INFOCAP) under the IFCS process was presented by Germany.

The Secretariat of the Long-Range Transboundary Air Pollution (LRTAP) Convention indicated that the POPs Protocol to the LRTAP Convention is expected to enter into force by the end of the year, and, with the Secretariat to the Basel Convention, expressed interest in collaborating with the Stockholm Convention Secretariat. The Rotterdam Convention highlighted the successful operation of its Interim Chemical Review Committee.

The International POPs Elimination Network encouraged governments to consider involving NGOs in their enabling activities and NIP preparations. Finland, for the Arctic Council, highlighted, *inter alia*, the importance of implementing the Stockholm Convention to ensure Indigenous Peoples' food security, and ongoing research on pentabromodiphenyl ether (pentaBDE), a potential addition to the Convention.

GRULAC stressed the importance of capacity-building networks, and offered to host the first COP. Kenya announced plans to monitor POPs in ecologically sensitive areas and noted that it has formally banned six Annex A POPs. Yemen emphasized that, with financial help from UNEP, it has reduced DDT use to a minimum. Thailand highlighted national implementation activities, such as the creation of an inventory of dioxin and furan emissions. Guinea, Kenya, Mauritania, Nigeria, Venezuela and Yemen announced their intentions to ratify the Convention. The Czech Republic announced that its ratification of the Convention should be completed by August 2002, and lauded the GEF for its promptness in allotting financial support. Japan announced its intention to sign the Convention prior to the World Summit on Sustainable Development (WSSD). Canada expressed hope that the Stockholm Convention will enter into force by August 2002 at the WSSD.



ACTIVITIES OF THE SECRETARIAT AND REVIEW OF THE SITUATION AS REGARDS EXTRABUDGETARY FUNDS

In Plenary on Monday, 17 June, the Secretariat presented the draft programme of work and budget (UNEP/POPS/INC.6/3) and a paper on contributions to the POPs Club (UNEP/POPS/INC.6/INF/25). On the draft programme of work and budget, he emphasized that the Secretariat will face a serious financial crisis if the funding needed to cover 2002 expenditures and repay money owed to the UNEP Environment Fund does not come in before the end of the year.

On the POPs Club, the following contributions were announced throughout the week: Australia (A\$55,000), Finland (20,000 Euros), the Inuit Circumpolar Conference (C\$1,000), Japan (US\$100,000) and Luxembourg (US\$8,000). The US pledged US\$100,000 to finance the Expert Group on BAT/BEP.

In Plenary on Friday, 21 June, the Secretariat presented INC-6 with its 2003-2004 projected budget (UNEP/POPS/INC.6/CRP.15). He noted the potential impacts of shortfalls in 2002 and outlined the budgetary effects of the decisions taken by INC-6, notably regarding technical assistance, the feasibility study, and the CAN.

Final Decision: The final decision takes note of the 2003 budget and the US\$300,000 net increase resulting from INC-6 decisions, and agrees to establish a small budget committee for INC-7.

PREPARATION FOR THE CONFERENCE OF THE PARTIES MEASURES TO REDUCE OR ELIMINATE RELEASES FROM INTENTIONAL PRODUCTION AND USE AND REGISTER OF SPECIFIC EXEMPTIONS:

In Plenary on Thursday, 20 June, delegates discussed work on DDT (UNEP/POPS/INC.6/5 and UNEP/POPS/INC.6/INF/3). The EU recommended that the Secretariat develop a format for reporting DDT use. The Gambia sought WHO advice regarding its 1995 DDT ban, while India sought assistance from the WHO in developing alternatives to DDT. Regarding specific exemptions and the review and process for extending exemptions, including a draft format of the Register of specific exemptions (UNEP/POPS/INC.6/4 and UNEP/POPS/INC.6/INF/6), Japan said the Register should not have any legal implications. The US, with the EU, noted the remarks column in the proposed format provides useful information on the scope of the exemption. The EU supported general guidelines on criteria for exemption extensions and for temporary exemptions. Delegates invited the Secretariat to propose a reporting format, as well as a format for the Register. On Friday, 21 June, delegates adopted decisions submitted by the Secretariat on DDT, and on a Register of specific exemptions.

Final Decisions: The final decision on DDT (UNEP/POPS/INC.6/CRP.20) emphasizes cooperation between the Secretariat and the WHO in preparing reports to INC-7 on possible formats for reporting by Parties that use DDT, and on guidance and information to assist the COP in evaluating the continued need for DDT.

The final decision on the Register of specific exemptions (UNEP/POPS/INC.6/CRP.21), submitted by the Secretariat, requests the Secretariat to prepare a report on: a possible format for country requests; a possible process for reviewing entries in the Register; and a possible format for the Register. The report shall be based upon input from countries, to be provided by 31 October 2002, and will be submitted to INC-7.

MEASURES TO REDUCE OR ELIMINATE RELEASES FROM UNINTENTIONAL PRODUCTION: In Plenary on Friday, 21 June, the Secretariat presented its document regarding guidance on

the evaluation of current and projected releases of chemicals listed in Annex C (UNEP/POPS/INC.6/6), as well as a related report drafted by the UK (UNEP/POPS/INC.6/CRP.11). He suggested that the INC consider the UNEP Standardized Toolkit for Identification and Quantification of Dioxin and Furan Releases or UN Economic Commission for Europe (UNECE) work on dioxins and furans as good starting points to develop further guidance on this issue.

Delegates then agreed to mandate the Secretariat to develop provisional guidance based on the Toolkit and government input, which is to be submitted by 31 December 2002, for discussion at INC-7. The EU said that UNEP guidance on this issue is not sufficiently detailed; the Philippines added that the Standardized Toolkit does not list all possible sources of dioxins or furans; and Chile said the Toolkit's approach to sectors is too broad.

In Plenary on Tuesday, 18 June, delegates considered the establishment of a subsidiary body to develop provisional guidance on BAT/BEP for consideration by COP-1 (UNEP/POPS/INC.6/7), and set up a contact group on this issue. The contact group, co-chaired by Sergio Vives (Chile) and Robert Kellam (US), met from Tuesday-Thursday, 18-20 June. The group agreed to establish an Expert Group and discussed its terms of reference, including: size of the group; funding, skills and geographic representation of experts; role of non-governmental and industry stakeholders; and the need for a commentary on the feasibility and appropriateness of matters useful to countries in implementing guidance.

In Plenary, on Friday, 21 June, delegates adopted the draft decision on establishment of, and the terms of reference for, the Expert Group on BAT/BEP with the deletion of language on providing funding for one participant from an industrial NGO. The INC designated the contact group Co-Chairs to be the interim Co-Chairs of the Expert Group; and designated country participants in the Expert Group. Developing country representatives include: Asia-Pacific – Iran, Mongolia, and Saudi Arabia; Africa – Algeria, Gabon, Kenya, Nigeria and Zambia; and Latin America and the Caribbean – Chile. CEIT representatives include Poland, Kazakhstan and Yugoslavia. Remaining developed and developing country participants are to be determined at a later date.

Final Decision: The final decision on BAT/BEP (UNEP/POPS/INC.6/CRP.17) establishes an Expert Group to develop guidelines on BAT and provisional guidance on BEP and its modalities of operation and terms of reference, including: a manageable number of participants; balanced representation from developing and developed countries and CEITs, and from regions; involvement of IGOs and NGOs, including industry NGOs, as observers; to the extent possible, provision of documents to, and encouragement of comments by, all interested parties; and consensus-based decision making. The Expert Group will report to INC-7 regarding its first meeting.

MEASURES TO REDUCE OR ELIMINATE RELEASES FROM STOCKPILES AND WASTES: On Thursday, 20 June, delegates discussed guidelines for POPs wastes and cooperation with the Basel Convention (UNEP/POPS/INC.6/8). Norway, Canada and the US stressed cooperation with the Basel Convention Technical Working Group (TWG) and among experts at the national level. The EU proposed the Secretariat analyze and recommend relevant elements of the Basel Convention's guidelines for adoption by the COP.



On Friday, 21 June, Chair Buccini introduced the draft decision on stockpile reduction submitted by the Secretariat. Japan, with the Republic of Korea, the US, and the Philippines, objected to, and the EU supported, the “binding basis” of the report requested of the Secretariat. The US suggested, and delegates agreed, to instead make a reference to the report’s suitability for adoption by the COP. In response to a US concern, delegates agreed to invite the Basel Convention COP to allow INC members to participate “in partnership” in its POPs activities. Delegates then adopted the decision with this amendment.

Final Decision: The final decision on development of technical guidelines on the environmentally sound management of POPs waste (UNEP/POPS/INC.6/CRP.19) states that the INC:

- welcomes progress made by the Basel Convention TWG in developing technical guidelines on the environmentally sound management of POPs and ongoing cooperation between the Stockholm Convention and the Basel Convention Secretariats;
- encourages continuing and strengthened collaboration between the Secretariats, in particular on capacity building;
- encourages countries to ensure close coordination at the national level between authorities responsible for the Conventions;
- invites the Basel Convention COP to consider inviting members of the INC to participate in partnership in activities under the Basel Convention relating to POPs; and
- requests the Secretariat to prepare a report for the Stockholm Convention COP on such guidelines relating to POPs that may be adopted by the Basel Convention COP, including an analysis of implications of those guidelines for the Stockholm Convention and an indication of elements that might be considered suitable for adoption under the Stockholm Convention.

IMPLEMENTATION PLANS: In Plenary on Tuesday, 18 June, delegates considered developing guidance for preparing, reviewing and updating NIPs and heard a report on the status of GEF funding activities for NIPs (UNEP/POPS/INC.6/INF/9). Slovakia recommended implementing the existing guidelines and NIPs prior to developing further guidance. Many delegates supported developing guidance for preparing NIPs and recommended that the guidelines be flexible, dynamic, and reflect the needs of the individual countries. Some suggested using the existing World Bank/UNEP guidance document (UNEP/POPS/INC.6/INF/8).

On the process for developing the guidelines, delegates recommended that the process: be transparent, incorporate country submissions; involve non-governmental stakeholders; and draw upon experiences from other MEAS. On the GEF report, delegates: prioritized financial and technical assistance in the enabling activities; stressed work at the regional level; highlighted the insufficiency of GEF funding for NIP projects and called for expedited funding; and recommended that the GEF incorporate the INC’s recommendations while revising its guidelines on ongoing activities. On Thursday, 20 June, the Secretariat presented the Secretariat’s draft decision on NIPs (UNEP/POPS/INC.6/CRP.13), and explained a revised version would be released that includes a request for countries to provide comments on interim guidance by 31 October 2002.

Delegates adopted the revised draft decision during the final Plenary session on Friday, June 21.

Final Decision: It the final decision (UNEP/POPS/INC.6/CRP.13/Rev.1), the INC invites countries to provide comments on guidance for preparing NIPs to the Secretariat by 31 October 2002, and requests the Secretariat to prepare for consideration by INC-7 a draft interim guidance on developing NIPs and guidance for review and updating NIPs.

LISTING OF CHEMICALS IN ANNEXES A, B AND C: On Tuesday, 18 June, INC-6 established a contact group to discuss establishment of, and the draft rules of procedure, composition and operational guidelines for, the functioning of a subsidiary body to review candidate POPs, such as a POPs Review Committee (POPRC) (UNEP/POPS/INC.6/11). The Secretariat proposed that the group consider existing rules of procedure for committees with similar mandates (UNEP/POPS/INC.6/INF/4). On Tuesday evening, the contact group, co-chaired by Reiner Arndt (Germany) and Fatoumata Jallow Ndoeye (The Gambia), met and decided on a list of issues to be addressed by the group.

On Wednesday, 19 June, the group discussed tasks of the POPRC, selection of experts, operational guidelines, rules, composition and size of the committee, and budget. On Thursday morning, 20 June, the group concluded its work, but failed to agree on the composition of the POPRC, an expert nomination procedure and funding issues. On Thursday afternoon, the Co-Chairs presented an update on the group’s progress to the Plenary. On Friday, 21 June, Co-Chair Arndt submitted to INC-6 the report of the contact group. The EU proposed, and delegates agreed, that the Secretariat prepare, based on the report, a draft of the POPRC terms of reference and rules of procedure for discussion at INC-7.

Final Text: The report (UNEP/POPS/INC.6/CRP.18) suggests, *inter alia*, that:

- COP-1 will establish the POPRC, the tasks of which are outlined in Article 8 of the Stockholm Convention;
- procedures for expert designation should be flexible and relevant *curricula vitae* should be provided by governments and be accessible to the COP;
- governments will need to designate experts at COP-1;
- four years is a reasonable minimum term for experts, and continuity is desired;
- the Rotterdam Convention model is a good starting point for resolving the conflict of interest issue for POPRC members;
- external government-designated experts might be selected and participation of invited experts from developing countries and CEITs will be funded;
- there will be 30-40 POPRC members, but no agreement was reached on geographical distribution;
- the POPRC should meet once a year, intersessionally, and its reports will be made publicly available;
- the POPRC will be open to observers and non-Parties;
- a work plan with time lines is necessary, for each chemical under consideration;
- Parties nominating chemicals are encouraged to submit a draft risk profile and a draft risk management proposal;
- the POPRC can make recommendations to the COP on its functioning and operational procedures, and recommendations to list chemicals in Annexes A, B or C are to be sent to the COP; and
- confidentiality arrangements should be codified by the POPRC.

INFORMATION EXCHANGE: In Plenary on Thursday, 20 June, delegates discussed an operational plan and budget for a clearing-house mechanism (CHM) for information exchange on POPs



(UNEP/POPS/INC.6/INF/7). Some delegates questioned the US\$250,000 request by the Secretariat for developing the CHM, and suggested that the Secretariat develop a more detailed CHM workplan and budget for consideration at INC-7. The Secretariat explained that roughly US\$150,000 of their request accounted for supporting the existing Stockholm Convention website. Argentina and Norway emphasized the importance of maintaining the website. Some delegates questioned the potential for synergies between the CHM and the CAN. Chile suggested keeping the CAN and CHM as two separate systems. Poland encouraged creating CHMs at the national level. On Friday morning, 21 June, INC-6 adopted a draft decision on this matter, submitted by the Secretariat, with a suggestion by Chair Buccini for a 31 October 2002 deadline for country submissions.

Final Decision: In its decision (UNEP/POPS/INC.6/CRP.23) INC-6 invites governments to submit questions and comments on the design, development, operation and scope of a CHM and request the Secretariat to prepare a detailed work plan and budget for a CHM for INC-7 consideration.

TECHNICAL ASSISTANCE: On Tuesday, 18 June, delegates began discussions on the Secretariat's note on technical assistance (UNEP/POPS/INC.6/16) and the concept proposal for a CAN (UNEP/POPS/INC.6/19). A contact group, co-chaired by Christopher Corbin (Saint Lucia) and Jozef Buys (Belgium), was convened on Thursday evening, 20 June, and Friday morning, 21 June, to work on four draft decisions related to technical assistance: guidance on technical assistance; feasibility study on regional and subregional centers; case studies (previously termed "pilot initiatives") on regional and subregional centers; and the CAN.

Guidance on Technical Assistance: In Plenary, on Tuesday, 18 June, the US and New Zealand recommended that guidance for technical assistance be developed only once developing countries have submitted their NIPs. Canada and Indonesia proposed that countries submit to the Secretariat their priorities for technical assistance, and that the Secretariat prepare a proposal on this subject. On Thursday, 20 June, the G-77/China proposed text inviting developed countries to provide information to the Secretariat on modalities for the provision of assistance. On Thursday evening, delegates met in the contact group and finalized the text of the draft decision. On Friday, 21 June, the Plenary adopted the draft decision on guidance on technical assistance.

Final Decision: In the final text (UNEP/POPS/INC.6/CRP.25), the INC, *inter alia*, invites governments to provide to the Secretariat by 31 October 2002: for developed countries, views and information on priorities and arrangements for their provision of technical assistance; and for developing countries and CEITs, views and information on priorities and arrangements regarding technical assistance. The INC also requests that the Secretariat prepare a report on priorities and arrangements for technical assistance to be submitted to the INC for its consideration at INC-7.

Feasibility Study on Regional and Subregional Centers: In Plenary on Tuesday, 18 June, GRULAC and others favored promoting synergies between chemicals conventions as the best way to consolidate technical assistance. The US and others said the focus of the feasibility study should not be limited to the Basel Convention Regional Centers, while Syria and others proposed establishing new regional centers. Chile said the feasibility study requires terms of reference. In the contact group on Thursday, 20 June, Switzerland and others proposed that the study be undertaken in consultation with the Basel Convention Secretariat. The G-77/China recommended that the study

include an assessment of possible mechanisms for technology transfer and financial assistance. On Thursday evening, delegates met in a contact group and finalized the text of the draft decision. On Friday, 21 June, the INC adopted the draft decision on a feasibility study on regional and subregional centers.

Final Decision: In the final text (UNEP/POPS/INC.6/CRP.25), the INC, *inter alia*, requests the Secretariat to undertake, in consultation with the Basel Convention Secretariat, as appropriate, a feasibility study on regional and subregional centers for capacity building and technology transfer. The study will include:

- an identification of capacity-building and technology transfer needs that might be facilitated by regional and subregional centers;
- an assessment of the capacity of relevant regional and subregional centers, in particular, but not limited to, the Basel Convention Regional Centers;
- an assessment of the gaps and limitations of existing arrangements, including the availability of technology to be transferred, and the means to address these constraints;
- a review of the experiences gained by other international agreements; and
- an identification and analysis of the potential synergies between the Stockholm Convention and other MEAs regarding capacity building and technology transfer.

The INC also requests the Secretariat to communicate the terms of reference for the study to governments for comments and to present the intermediate or final report to INC-7. The final report is to be presented no later than 31 December 2003.

Case Studies on Regional and Subregional Centers: In Plenary on Tuesday, 18 June, the US and others recommended the pilot initiative not be conducted until after the completion of the feasibility study on regional and subregional centers. Uruguay stated that a pilot initiative could contribute to the feasibility study. In the contact group on Thursday, 20 June, Switzerland, supported by GRULAC and others, proposed that the pilot project be conducted in cooperation with the Basel Convention Secretariat and its Regional Centers. On Friday morning, 21 June, the contact group finalized the text of the draft decision. On Friday afternoon, the INC adopted the draft decision on case studies on regional and subregional centers.

Final Decision: In the final text (UNEP/POPS/INC.6/CRP.29), the INC, *inter alia*, requests the Secretariat to develop and conduct, in cooperation with Basel Convention Secretariat and the Basel Convention Regional Centers, as appropriate, one or more case studies of regional and subregional centers for the purpose of facilitating capacity building and transfer of technology and with a view to contributing to the feasibility study on regional and subregional centers. The INC also: invites governments, IGOs, NGOs, the private sector and international financial institutions to provide information on how they might contribute to the case studies; requests the Secretariat to report to INC-7 on progress made in implementing the case studies; and agrees that the implementation of the case studies should be subject to the availability of extrabudgetary resources, and invites contributions.

Capacity Assistance Network: In Plenary on Tuesday, 18 June, Zambia and others expressed concern that the Secretariat's concept proposal on the CAN departs from the original idea of a CAN, which was to help developing countries access assistance. Canada and others suggested expanding the feasibility study in order to inform thinking



on any CAN mechanism, and involving IGOs, international financial institutions, the private sector and NGOs in contributing to countries' implementation capacity. On Friday morning, 21 June, the contact group finalized the text of the draft decision. On Friday afternoon, the INC adopted the draft decision on the CAN.

Final Decision: In the final text (UNEP/POPS/INC.6/CRP.29), the INC invites IGOs, NGOs, the private sector and international financial institutions to provide information to the Secretariat, by 31 October 2002, on how they might contribute to facilitating and coordinating access to financial and technical assistance. The INC also requests the Secretariat to include in the feasibility study on regional and sub-regional centers, arrangements for developing possible modalities for the CAN.

FINANCIAL RESOURCES AND MECHANISMS AND THE INTERIM FINANCIAL MECHANISM: On Wednesday afternoon, 19 June, and Thursday morning, 20 June, in Plenary, delegates discussed financial resources and mechanisms and the interim financial mechanism (UNEP/POPS/INC.6/12 and UNEP/POPS/INC.6/13), and on Friday afternoon, 21 June, the INC adopted four decisions, submitted by the Secretariat, related to financial resources and mechanisms.

Draft Memorandum of Understanding with the GEF: During Plenary discussions, delegates discussed the drafting of a memorandum of understanding (MOU) between the GEF and the COP, and asked that the Secretariat prepare a first draft of an MOU for INC-7. The US and Australia proposed that countries suggest elements for inclusion in an MOU.

In Plenary on Friday afternoon, delegates addressed the draft decision on the draft MOU with the GEF. The EU proposed deleting a paragraph inviting country input on the draft MOU, preferring that the Stockholm Convention and the GEF Secretariats co-draft an MOU for consideration by INC-7 before requesting government input. Delegates agreed that both a review and a draft MOU would be submitted to INC-7, and that any country comments made before INC-7 would be made available as an information document. Delegates adopted this decision with these amendments.

Final Decision: The decision (UNEP/POPS/INC.6/CRP.24) states that the INC:

- decides to initiate a process for developing a draft MOU between the COP and the GEF;
- invites the Stockholm Convention and the GEF Secretariats to draft an MOU for INC-7; and
- requests the Secretariat to submit to INC-7 a review of similar agreements between the GEF and the governing bodies of other MEAs.

Guidance to the Financial Mechanism: Norway recommended that the guidance to the financial mechanism be developed under the same process as the MOU and incorporate country input. On Friday, in Plenary, delegates addressed the draft decision on guidance to the financial mechanism, the EU said the inclusion of a provision for reviewing guidance provided to the GEF by the governing bodies of other MEAs was unnecessary and proposed its deletion, which delegates agreed to. The decision was adopted.

Final Decision: The decision (UNEP/POPS/INC.6/CRP.24) states that the INC:

- decides to initiate a process for developing draft guidance to the financial mechanism for consideration by the COP;

- invites governments to provide to the Secretariat, by 30 November 2002, input on elements for inclusion in the guidance; and
- requests the Secretariat to submit a report on elements of such guidance for further discussion at INC-7, comprised of a compilation and synthesis of views received from countries, and a review of relevant experience gained from the provision of guidance given to the GEF by the governing bodies of other MEAs.

Draft Terms of Reference for the Review of the Financial Mechanism under Paragraph 8 of Article 13: On reviewing the financial mechanism's effectiveness, the EU, with Poland and the US, stressed that the terms of reference of the COP and review should not be specific to the GEF. The EU suggested inviting country submissions to this end and, with Poland, said discussion on guidance to the COP regarding the institutional structure for the final financial mechanism is premature. Canada recommended drawing upon outcomes of other reviews and evaluations of the GEF, and that the Secretariat seek assistance from experts, but not invite country submissions. On Friday, 21 June, delegates adopted this decision.

Final Decision: The decision (UNEP/POPS/INC.6/CRP.24) states that the INC: decides to initiate a process for developing draft terms of reference for consideration by the COP for use in the review of the financial mechanism; and requests the Secretariat to submit elements of the draft terms of reference for its further consideration at INC-7 based on expert input.

Collection of Information from Relevant Funding Institutions on the Ways in Which They Can Support the Stockholm Convention: Regarding guidance on, and timing of, the Secretariat's activities to collect information from relevant funding institutions, delegates proposed a database, stressed the private sector's role, and suggested that the COP discuss how to identify and mobilize available resources. Poland suggested the COP undertake the first review by 2004, and Belgium emphasized bilateral financing. On Friday, in Plenary, delegates adopted this decision.

Final Decision: The decision (UNEP/POPS/INC.6/CRP.24) states that the INC:

- invites governments to provide to the Secretariat relevant information on ways in which their funding institutions may support the Convention's objectives;
- invites intergovernmental organizations, NGOs and other observers, as appropriate, to provide to the Secretariat relevant information on ways they can support the Convention; and
- requests the Secretariat to begin collecting information from relevant funding institutions on the ways in which they can support the Convention, and to submit a preliminary draft report of the information received for consideration at INC-7.

REPORTING: Introducing the document on format and timing of Party reporting (UNEP/POPS/INC.6/9), the Secretariat explained: that possible action by the INC can include requesting the Secretariat to prepare a document for INC-7 that reviews reporting obligations, processes and formats of other MEAs; and takes into consideration reporting under other articles of the Stockholm Convention. Canada suggested the Secretariat invite Parties to submit comments on timing, format and other considerations, and use this information to formulate recommendations. The EU stressed compatibility among reporting mechanisms for different MEAs, suggested that a model mechanism



be prepared for INC-7, and with New Zealand, called for simplicity in the reporting format. New Zealand also requested that mandatory and voluntary reporting requirements be distinguished.

EFFECTIVENESS EVALUATION: In Plenary on Thursday, 20 June, delegates considered the arrangements to provide comparable monitoring data and ongoing UNEP monitoring activities (UNEP/POPS/INC.6/10). Delegates stressed the need to: develop a strategic framework for evaluation at the earliest stage possible; focus on POPs covered under the Convention; consider both environmental and health effects; strengthen and/or initiate monitoring activities; and share environmental data. Developing country delegates emphasized the need for methodology standards. Delegates established an informal drafting group, which presented a draft decision on Friday, 21 June. The INC adopted the draft decision with minor editorial changes.

Final Decision: The decision (UNEP/POPS/INC.6/CRP.22) requests the Secretariat to, *inter alia*:

- develop guidance on the nature of the effectiveness evaluation;
- identify the basic data needed;
- assess the existing monitoring programmes and then begin making arrangements for the provision of comparable monitoring data;
- compile guidance for collection of data;
- facilitate obtaining monitoring information for regions where such information would not otherwise be available; and
- report on progress to INC-7.

NON-COMPLIANCE: In Plenary on Wednesday, 19 June, the Secretariat introduced the document on non-compliance (UNEP/POPS/INC.6/17), which focuses on elements to be included in the non-compliance mechanism and the process of developing such a mechanism in the interim period. Many countries favored an early start to work on the mechanism, with suggestions for work to be initiated at INC-6, submission of a draft mechanism to INC-7, and intersessional work. Some delegations felt other tasks should be prioritized, and many supported a non-confrontational and facilitative mechanism.

The EU highlighted its paper on compliance (UNEP/POPS/INC.6/CRP.2) and supported adoption of a mechanism at COP-1.

Delegates recommended a number of approaches to developing the mechanism, including that: the Secretariat draft a model non-compliance mechanism for March 2003, based on written comments by States; other MEA non-compliance mechanisms be analyzed; the Secretariat compile and categorize submissions and information on regimes, but not provide much analysis or commentary; and a document on non-compliance mechanisms prepared for the World Trade Organization and a summary of existing compliance regimes prepared for the Rotterdam Convention be considered. Chair Buccini recommended that submissions be provided by 31 December 2002, in electronic form.

On Friday, 21 June, delegates discussed the draft decision on non-compliance submitted by the Secretariat. Australia added text stating that a report that provides a compilation and a synthesis of those views be submitted to INC-7. Delegates then adopted the decision.

Final Decision: The decision (UNEP/POPS/INC.6/CRP.28) mandates the Secretariat to: collect submissions for the Secretariat's document relating to non-compliance, as well as information on other regimes; and provide to INC-7 a document containing both original information and a non-judgmental summary and analysis.

SETTLEMENT OF DISPUTES: On Wednesday, 19 June, the Secretariat noted that INC-6 may wish to consider proposed rules of arbitration and conciliation contained in the annex of document

UNEP/POPS/INC.6/18. Regarding the provisions on a party that has an interest of a legal nature in the subject matter of the dispute and binding nature of awards, Japan said the LDG should take note of existing precedents established under Article 62 of the International Court of Justice. The Philippines noted that the provision on failure to appear before the tribunal does not contain references to warnings and/or time extensions. Chair Buccini said any issues delegates may have with the draft rules will be addressed in the LDG.

On Friday, 21 June, LDG Chair Anne Daniel reported on results of meetings held between Wednesday, 19 June, and Friday, 21 June. She said a first reading had been accomplished, and recommended a second reading of the issues before their consideration by INC-7.

Regarding rules on conciliation, she reported that minor editorial changes were made, and that the LDG recommended reducing the conciliation commission from five to three members for budgetary reasons.

CONFERENCE OF THE PARTIES: Draft Rules of Procedure for the Conference of the Parties: On Wednesday, 19 June, INC-6 convened deliberations on a draft set of rules of procedure for the COP (UNEP/POPS/INC.6/14) prepared in the interim by the Secretariat. Regarding rules pertaining to observers to the COP, Egypt proposed, and China supported, that notification of observers be made available at least 60 days prior to the COP. The EU said it wished to follow the draft rules of procedure specified in the Rotterdam Convention. Regarding the rule on majority required, the US said it was considering three potential decision-making models and said it had produced a paper on all references to decision making found in the Stockholm Convention. The Bahamas responded that more than three decision-making models could be relevant. The Philippines said the rule on voting should include a reference to time. Regarding the rule on the order of voting on proposals, Egypt proposed deleting the last sentence of the rule that specified that the COP may, after each vote on a proposal, decide whether to vote on the next proposal. Chair Buccini concluded the discussion saying that the foregoing rules of procedure in question would be addressed by the LDG and that any policy issues arising in the LDG would be brought back to Plenary for further discussion.

On Friday, 21 June, LDG Chair Anne Daniel reported on results of meetings held between Wednesday, 19 June, and Friday, 21 June. On rules of procedure, she said that in the first reading, the group discussed: observers; participation of other bodies or agencies; election of officers; voting in subsidiary bodies; majority required for voting; and amendments to the rules of procedure. She recommended a second reading of the issues before their consideration by INC-7.

Draft Financial Rules for the Conference of the Parties, its Subsidiary Bodies and the Convention Secretariat: On Wednesday, 19 June, the Secretariat invited INC-6 to discuss a set of draft financial rules of the Conference of the Parties, its subsidiary bodies and the Convention Secretariat (UNEP/POPS/INC.6/15), which is based on those existing under various other MEAs.

The US expressed concern over directly importing the Rotterdam Convention rules into the Stockholm Convention, while the Bahamas recommended that, in order to optimize "the best of the UN system," financial rules governing a broad range of multilateral agreements and UN conventions should be considered. Brazil and the Philippines, however, were opposed to using the UN scale of assessments used in many other conventions. Regarding authority over Convention funds, the Secretariat said many treaties grant control to the UNEP Executive



Director, while other conventions fall under the jurisdiction of the UN Secretary-General. Chair Buccini said these issues would be addressed more fully in the LDG.

On Friday, 21 June, LDG Chair Anne Daniel reported on results of meetings held between Wednesday, 19 June, and Friday, 21 June. On financial rules, she said a first reading had been completed and the second reading would be undertaken with the assistance of financial officer.

ISSUES RELATING TO THE STOCKHOLM CONVENTION NOT COVERED ABOVE: On Thursday, 20 June, Switzerland and Uruguay submitted a document on preparations for COP-1 (UNEP/POPS/INC.6/CRP.16). Recalling Switzerland's proposal at INC-3 to finance holding the first meeting of the COP in a developing country, and GRULAC's statement in the opening Plenary of INC-6 of its interest in hosting COP-1, the paper informed the INC of the ongoing progress of "very positive" discussions between the two countries. On Friday, 21 June, Uruguay expressed pleasure with the opportunity to host the COP. Delegates agreed to a co-proposal from Switzerland and Uruguay that Switzerland would fund COP-1 in Uruguay.

OTHER ISSUES FOR CONSIDERATION BY THE COP AT ITS FIRST MEETING: Location of the Secretariat: On Tuesday, 18 June, Italy proposed the unification of the Rotterdam and Stockholm Secretariats, and reiterated the offer to host them jointly with Switzerland. On Friday, 21 June, the Secretariat introduced the document on the location of the permanent Secretariat (UNEP/POPS/INC.6/21). Switzerland and Germany offered to host the Secretariat in Geneva and Bonn, respectively. Italy and Switzerland suggested, and delegates accepted, a 30 November 2002, deadline for submission of applications. Regarding information that might be requested from countries interested in hosting the permanent Secretariat: Switzerland proposed that applicants provide information on the proportion of contributions earmarked for certain purposes; the US asked that details be provided on synergies with other chemical management organizations in the host city; and Chile requested that the category on housing availability include information on prices and vacancy rates. Chair Buccini noted delegates' agreement on adding these proposed amendments to the information requirements.

Liability and Redress: On Friday, 21 June, the Secretariat, introducing document UNEP/POPS/INC.6/INF/5, noted that although a liability and redress regime was not called for in the Stockholm Convention, the Conference of Plenipotentiaries called for its consideration, and invited governments to submit information on national, regional and international measures and agreements relating to liability and redress. Austria described a workshop on liability and redress to be held in Vienna from 19-21 September 2002, the report of which will be considered at COP-1. Colombia suggested that governments that have not submitted comments do so before the Vienna workshop. Australia expressed concern about the time and resources necessary to develop a liability and compensation regime. Chair Buccini suggested, and all delegates agreed, that governments will submit their comments on liability and redress by the end of July 2002.

CLOSING PLENARY

On Friday afternoon, 21 June, delegates considered the report of the meeting (UNEP/POPS/INC.6/L.1 and UNEP/POPS/INC.6/L.1/Add.1). Regarding a paragraph on the draft format of the Register of Specific Exemptions, the US amended text to reflect that the criteria be

developed based on the experience and deliberations of the COP. Regarding non-compliance, Colombia, supported by Canada and the EU, said the report did not properly reflect the debate. Canada proposed stressing that some stated the INC should focus efforts during the interim period on activities that would facilitate the implementation of the Convention and its speedy entry into force. He added new text indicating that other representatives stated that a compliance mechanism should be established at COP-1 or shortly thereafter and noted that the resolution on interim arrangements adopted at the Diplomatic Conference to facilitate the rapid entry into force and effective implementation of the Convention provided for the INC's work on non-compliance. Canada also added a paragraph stating that: some delegations requested that the Secretariat prepare a draft model for a compliance mechanism for INC-7, based on written comments by countries; other delegations proposed that the Secretariat prepare a synthesis report, based on written comments; and other delegations wanted the Secretariat to only compile written comments received by countries.

The EU added language stating that representatives also emphasized the importance of appropriate measures for addressing non-compliance and that an effective mechanism to examine non-compliance was essential. The US said it was difficult to comment on whether these changes accurately reflect the balance. Some delegates raised the issue of how to refer in the report to representatives speaking on behalf of larger groups and Chair Buccini said this would be addressed at INC-7.

In closing remarks, the EU commended the constructive spirit throughout the meeting. Iran, for the Asia-Pacific Group, praised the work of the Secretariat and the Chair. Nigeria, on behalf of the Africa Group, said the INC should return to evaluating work on DDT, and re-evaluating stockpiles in Africa. Egypt, on behalf of the G-77/China, expressed its gratitude for the decision to conduct a feasibility study and for the CAN, but said that, despite many achievements at INC-6, the Group's objectives under the Convention are yet to be realized. Chair Buccini thanked INC-6 for a good meeting, the Secretariat for its excellent organization, and the interpreters for their hard work. Chair Buccini gavelled the meeting to a close at 7:25 pm.

A BRIEF ANALYSIS OF INC-6

INC-6 of the Stockholm Convention marks a significant turning point in the history of what many consider to be among the more high-profile multilateral environmental agreements. With the negotiation process behind them, delegates at INC-6 enthusiastically embraced their next task: ensuring the Convention is both ratified and fully implemented in a timely manner. A bellwether of this enthusiasm is that many observers have been speculating that the Convention will enter into force within two years – at least one year ahead of schedule. The following analysis explores four key dimensions of the Convention discussed during INC-6, through which to gauge progress towards ratification and implementation: national implementation plans (NIPs); technical assistance; Convention financing; and the POPs Review Committee (POPRC).

NATIONAL IMPLEMENTATION PLANS

The extent to which countries are moving to develop NIPs is telling. Indeed, the likelihood of full ratification is proportionate to progress on NIPs, a process facilitated in large measure by the Global Environment Facility (GEF), which has pledged US\$500,000 for each



GEF-eligible country to develop a NIP. To date, the GEF had identified 64 countries whose applications for GEF NIP-development financing have been approved, or are awaiting approval. Assuming the executing agencies (UNEP, UNIDO, UNDP and the World Bank), charged with facilitating NIP development at the national level, work well with the respective countries, ratification of the Convention will surely be accelerated.

There is, however, concern from some recipient countries that they have been inadequately consulted by the GEF regarding the budgeting of their priority needs. In their view, inappropriate budgeting of the GEF NIP-development financing arrangements could impede, rather than hasten, the ratification process. Nevertheless, the GEF's contribution is indicative of international support for the objectives of the Stockholm Convention.

TECHNICAL ASSISTANCE

Another dimension of the implementation process is technical assistance, an area some delegates felt was among the more contentious issues at INC-6. On this score, INC-6 created a technical assistance contact group to formalize arrangements relating to: guidance on technical assistance; the capacity assistance network (CAN); the feasibility study on regional and subregional centers; and the case studies on regional and subregional centers. Emblematic of delegates' commitment, the contact group worked well into the night on Thursday, and first thing Friday morning requested from Plenary more time to complete its work. By Friday afternoon, the contact group successfully completed its work efficiently and congenially, which some have said typifies the overall tone of INC-6, particularly its commitment to implementation.

Moreover, another indication of the political interest in implementing the treaty was the formulation of an Expert Group on best available techniques and best environmental practices (BAT/BEP Expert Group), whose task will be to guide the delivery of BAT/BEP as they pertain to measures to reduce or eliminate releases from unintentional production. A US Environmental Protection Agency donation of US\$100,000 to the BAT/BEP Expert Group, while not only helping to realize the work of the Group, further symbolizes the commitment to implementation.

POPS REVIEW COMMITTEE

Yet for all the positive signals coming out of INC-6, there remains one salient element of the Convention that may slow ratification and implementation. The POPs Review Committee (POPRC) will have the task of reviewing proposed additions to Annexes A, B, and C. Many agree that the extent to which the POPRC is able to add new chemicals to the Convention, particularly those with high commercial value, will be the true test of the Convention's mettle. In that vein, several delegates suggested that postponing POPRC issues and focusing on the relatively non-controversial 12 POPs already covered, may promote early ratification.

However, it is suspected that many countries that have not yet ratified the Convention may try to use the POPRC process to ensure that they are not unnecessarily burdened by amendments to the POPs annexes. In this regard, some INC-6 delegates speculated that their failure to reach agreement on the composition of the POPRC, and a US request for further examination of similar procedures under other environmental agreements, notably the Montreal Protocol, owed to the fact that the US did not want its pending domestic legislation in any way compromised by rapid progress in these two areas. Many participants

noted that, for some countries, ratification of the Convention will only occur once domestic regimes are in place that ensure that the regulation of additional POPs is domestically – as opposed to internationally – determined.

FINANCE

One of the most pressing issues facing the Stockholm Convention, and for which there is no immediate solution, is the lack of funds for its basic administration. Throughout the week the Secretariat made repeated and emphatic statements indicating its dire financial straits, with the gravity of the situation evident in the announcement that, should there be a 30% shortfall in the budget, there would insufficient funds to convene INC-7. Given that the Conference of Plenipotentiaries – where financial prospects for the Convention appeared somewhat brighter – was just over one year ago, hopefully the anticipated shortfall is not a portentous sign for the Convention's future.

CONCLUSION

In the final analysis, support for full ratification of the Convention is abundantly evident, due perhaps to the fact that the treaty is charged with the phase-out of POPs with marginal commercial value. Unto itself this is an extremely admirable, if not absolutely necessary, international undertaking. However, there remains a potent undercurrent within the process that the ultimate test of the Convention will be its efficacy to include new chemicals, particularly those with high commercial value, not currently covered by the Convention. This is not to understate the value of POPs to many developing countries, who may be dependent on these chemicals for disease vector control. In any event there appear to be two dominant perspectives infusing Stockholm Convention politics: the skeptics and optimists.

For their part, the skeptics are of the view that substitute chemicals will never be successfully added to the Convention as long as their commercial value remains high. In contrast, the optimists, while acknowledging certain weaknesses in the Convention, notably the opt-in clause pertaining to Convention amendments, regard the Convention as an extremely necessary international legal framework for guiding the elimination of toxic substances. Regardless of divergent views, only one thing is certain: the Stockholm Convention is well on its way to becoming legally binding.

THINGS TO LOOK FOR

FINANCIAL RESOURCE MOBILIZATION FOR THE SOUND MANAGEMENT OF CHEMICALS: This UNITAR Workshop, tentatively scheduled for August 2002 in Geneva, Switzerland, will develop and test ideas for innovative approaches to financial resource mobilization for the sound management of chemicals, consistent with national circumstances and priorities. For more information, contact: Training and Capacity Building Programmes in Chemicals and Waste Management, UNITAR; tel: +41-22-917-8166; fax: +41-22-917-8047; e-mail: cwm@unitar.org; Internet: <http://www.unitar.org/cwm>

WORLD SUMMIT ON SUSTAINABLE DEVELOPMENT: The World Summit on Sustainable Development will take place from 26 August to 4 September 2002, in Johannesburg, South Africa. For more information, contact: Andrey Vasilyev, DESA; tel: +1-212-963-5949; fax: +1-212-963-4260; e-mail: vasilyev@un.org; Major Groups contact: Zehra Aydin-Sipos, DESA; tel: +1-212-963-8811; fax: +1-212-963-1267; e-mail: aydin@un.org; Internet: <http://www.johannesburgsummit.org/>



GEF/MSP SUBREGIONAL WORKSHOP TO SUPPORT THE IMPLEMENTATION OF THE STOCKHOLM CONVENTION ON POPS: This UNEP/GEF Workshop will take place from 9-13 September 2002, in Kiev, Ukraine. For more information, contact: UNEP Chemicals; tel: +41-22-917-8111; fax: +41-22-797-3460; e-mail: chemicals@unep.ch; Internet: <http://irptc.unep.ch/pops>

LIABILITY AND REDRESS WORKSHOP: This workshop will take place from 19-21 September 2002, in Vienna, Austria. For more information, contact: the interim Secretariat for the Stockholm Convention; tel: +41-22-917-8200; fax: +41-22-797-3460; e-mail: mgubb@chemicals.unep.ch; Internet: <http://irptc.unep.ch/pops>

JOINT FAO-WHO MEETING ON PESTICIDE RESIDUES: The 27th Session of the Joint Meeting of the FAO Panel of Experts on Pesticide Residues in Food and the Environment and the WHO Expert Group on Pesticide Residues (JMPPR) will take place from 16-25 September 2002, in Rome, Italy. For more information, contact: Amelia Tejada, FAO; tel: +39-6-5705-4010; fax: +39-6-5705-6347; e-mail: Amelia.Tejada@fao.org; Internet: <http://www.fao.org/waicent/FaoInfo/Agricult/AGP/AGPP/Pesticid/Events/c.htm>

SUBREGIONAL TRAINING WORKSHOP ON INVENTORIES OF STOCKS OF OBSOLETE PESTICIDES: This UNEP Workshop will take place from 23-25 September 2002, in Krasnodar, Russia. For more information, contact: UNEP Chemicals; tel: +41-22-917-8111; fax: +41-22-797-3460; e-mail: chemicals@unep.ch; Internet: <http://irptc.unep.ch>

PIC INC-9: The ninth session of the Intergovernmental Negotiating Committee for an International Legally Binding Instrument for the Application of the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade will take place from 30 September 2002 to 4 October 2002, in Bonn, Germany. For more information, contact the interim Secretariat: Niek van der Graaff, FAO; tel: +39-6-5705-3441; fax: +39-6-5705-6347; e-mail: Niek.VanderGraaff@fao.org; or Jim Willis, UNEP Chemicals; tel: +41-22-917-8111; fax: +41-22-797-3460; e-mail: chemicals@unep.ch; Internet: <http://www.pic.int/incs/9/h3.html>

SUBREGIONAL WORKSHOP TO PROMOTE SUSTAINABLE ALTERNATIVES STRATEGIES TO POP PESTICIDES: This UNEP Workshop is tentatively scheduled to be held on 1 October 2002, in Santiago, Chile. For more information, contact: UNEP Chemicals; tel: +41-22-917-8111; fax: +41-22-797-3460; e-mail: chemicals@unep.ch; Internet: <http://irptc.unep.ch/pops>

GEF-MSP SUBREGIONAL WORKSHOP ON SUPPORT FOR THE IMPLEMENTATION OF THE STOCKHOLM CONVENTION: This UNEP workshop will take place on 1 October 2002, in Alexandria, Egypt. For more information, contact: UNEP Chemicals; tel: +41-22-917-8111; fax: +41-22-797-3460; e-mail: chemicals@unep.ch; Internet: <http://irptc.unep.ch/pops>

INTERNATIONAL SYMPOSIUM ON ENVIRONMENTAL POLLUTION OF THE ARCTIC: This symposium, organized by the Arctic Monitoring and Assessment Programme (AMAP), will be held 1-4 October 2002, in Rovaniemi, Finland. This symposium will address pollution of the Arctic in an integrated circumpolar context, focusing on a range of pollutant issues. For more information, contact: the AMAP Secretariat; tel: +47-22-57-34-00; fax: +47-22-67-67-06; e-mail: amap@amap.no; Internet: <http://www.amap.no/news/symp2-2an-all-nopics.pdf>

GLOBAL ENVIRONMENT FACILITY: The GEF Council will meet in Beijing, China, from 14-15 October 2002, to be followed by the second meeting of the GEF Assembly in Beijing from 16-18 October. These meetings will be preceded by NGO consultations on 13 October. For more information, contact the GEF Secretariat, tel: +1-202-473-0508; fax: +1-202-522-3240/3245; e-mail: secretariatofgef@worldbank.org; Internet: <http://www.gefweb.org>

19TH SESSION OF THE FAO PANEL OF EXPERTS ON PESTICIDE SPECIFICATIONS, REGISTRATION REQUIREMENTS, APPLICATION STANDARDS AND PRIOR INFORMED CONSENT: This FAO Panel of Experts will meet from 27-29 October 2002, in Rome, Italy. For more information, contact: Gero Vaagt, FAO; tel: +39-6-5705-5757; fax: +39-6-5705-6347; e-mail: Gero.Vaagt@fao.org; Internet: <http://www.fao.org/waicent/FaoInfo/Agricult/AGP/AGPP/Pesticid/Events/c.htm>

WORKSHOP TO PROMOTE SUSTAINABLE ALTERNATIVE STRATEGIES TO POP PESTICIDES: This UNEP Workshop is scheduled for 1 November 2002, in Nairobi, Kenya. For more information, contact: UNEP Chemicals; tel: +41-22-917-8111; fax: +41-22-797-3460; e-mail: chemicals@unep.ch; Internet: <http://irptc.unep.ch/pops>

BASEL CONVENTION COP-6: The sixth meeting of the Conference of the Parties to the Basel Convention is scheduled for 9-13 December 2002, in Geneva, Switzerland. For more information, contact: the Secretariat of the Basel Convention; tel: +41-22-979-8218; fax: +41-22-797 3454; e-mail: sbc@unep.ch; Internet: <http://www.basel.int/meetings/calendar.html>

FOURTH SESSION OF THE INTERGOVERNMENTAL FORUM ON CHEMICAL SAFETY (IFCS): FORUM IV is scheduled for 1-7 November 2003, in Bangkok, Thailand. FORUM V will take place in Hungary in late 2005 or 2006. For more information, contact: Judy Stober, IFCS Executive Secretary; tel: +41-22-791-3650; fax: +41-22-791-4875; e-mail: ifcs@who.ch; Internet: <http://www.ifcs.ch>