



POPS INC-7 HIGHLIGHTS: TUESDAY, 15 JULY 2003

On the second day of the Seventh Session of the Intergovernmental Negotiating Committee (INC-7), delegates met in morning and afternoon Plenary sessions and in a morning Budget Group. In Plenary, delegates heard presentations on the location of the Secretariat, discussed terms of reference (ToR) for the persistent organic pollutants (POPs) Review Committee (POPRC), deliberated on national implementation plan (NIP) interim guidance and updating and review, and considered technical assistance issues. The Legal Drafting Group (LDG) met throughout the day to discuss issues forwarded to it by Plenary.

PLENARY

Stockholm Convention Executive Secretary Jim Willis presented certificates to contributors to the POPs Club (UNEP/POPS/INC.7/INF/13).

OTHER ISSUES FOR CONSIDERATION BY COP-1:

Location of the Secretariat: On the location of the permanent Secretariat (UNEP/POPS/INC.7/23), delegates heard presentations from those countries offering to host the Secretariat, namely: Germany (UNEP/POPS/INC.7/INF/3 and CRP.7); Italy (UNEP/POPS/INC.7/INF/5); and Switzerland (UNEP/POPS/INC.7/INF/4 and CRP.4). Delegates agreed to forward this issue to the first Conference of the Parties (COP-1) and requested the Secretariat to prepare a table comparing the offers.

PREPARATIONS FOR THE COP: POPRC: The Secretariat reported on the POPRC draft ToR (UNEP/POPS/INC.7/11) and on the work of the INC-6 POPRC contact group (UNEP/POPS/INC.6/22), noting outstanding issues relating to the Committee's composition, officers, and finances. Regarding the composition of the POPRC, the US recommended, and ARGENTINA and IRAN opposed, using the Food and Agriculture Organization's model of regional representation. While numerous delegates stressed the importance of equitable geographic representation, ARGENTINA, AUSTRALIA, CHINA, KENYA, MOLDOVA, and others specifically emphasized the need for equitable representation from developing countries and countries with economies in transition (CEITs).

CANADA underscored the importance of clear language on conflict-of-interest provisions and GERMANY highlighted the need to prepare conflict-of-interest rules prior to COP-1. ITALY, on behalf of the EU, requested additional detail on POPRC meeting costs and recommended that the LDG review discrepancies between the ToR and draft Rules of Procedure. JAPAN noted the need to consider participation by relevant experts, and

AUSTRALIA stressed the role of chemical management experts. EGYPT called for industrial expertise, in addition to health and environmental expertise, while KENYA recommended not specifying the expertise type. INDIA suggested that the POPRC consider inviting experts from countries producing the pollutant under review.

CHINA stressed the need to agree on the method of determining representation and called attention to models from inter-governmental organizations. The CZECH REPUBLIC noted difficulties in defining CEITs. GERMANY reminded delegates that Parties attending COP-1 should be prepared to nominate experts.

The Secretariat emphasized that the draft ToR approved at INC-6 has yet to be reviewed by the LDG. On POPRC composition, he suggested using text from Article 19 of the Convention, stating that members of the POPRC "be appointed on the basis of equitable geographical representation."

After a small working group discussion, CANADA introduced a revised draft at the afternoon Plenary (UNEP/POPS/INC.7/CRP.11), which, *inter alia*, clarifies the distinction between "designated experts" and "invited experts" of the POPRC.

CANADA emphasized the need to: prepare draft guidelines on conflict-of-interest procedures to be considered at COP-1; develop a procedure for replacement of POPRC members unable to attend meetings; and ensure that Parties at COP-1 provide *curricula vitae* of nominated experts. IRAN suggested learning from the Rotterdam Convention's conflict-of-interest procedure. CHILE, with SOUTH AFRICA, expressed concern at the number of observers that could take part in POPRC meetings and suggested that a limit be set. MOROCCO called for geographical distribution in the selection of POPRC co-chairs and stressed the importance of simultaneous translation at POPRC meetings. Chair Buccini reminded delegates of their agreement at INC-6 that English be the working language of the POPRC. Delegates agreed to forward their questions and the revised draft ToR to the LDG.

Interim NIP guidance: The Secretariat outlined the development of interim guidance on preparing NIPs (UNEP/POPS/INC.7/9 and INF/20). The US noted that certain aspects of the present guidance mischaracterize Convention obligations and supported revision to the guidance. The EU, CHINA, NIGERIA, on behalf of the African Group, and others stressed the need for flexibility in implementing NIPs. SWITZERLAND, the AFRICAN GROUP, and others underlined that the guidance should be a "living document" subject to revision. VENEZUELA, on behalf of Latin American and Caribbean Countries Group, stressed the need for more time to review the guidance. GREENPEACE INTERNA-



TIONAL stressed the need to include in NIPs the prevention of unintentional POPs, and the PESTICIDE ACTION NETWORK OF LATIN AMERICA urged transparency and civil society participation at all stages of NIP development. Delegates agreed that comments on the guidance must be submitted to the Secretariat by 30 September 2003.

The Review and Updating of NIPs: The Secretariat requested guidance on the trigger for the review and updating of NIPs (UNEP/POPS/INC.7/10), noting periodic and “as needed” review and update options. AUSTRALIA, CHINA, BRAZIL and others stressed that updating and review should be done on an “as needed” basis. CHILE and NEW ZEALAND emphasized that NIP timetables should dictate when reviews are necessary. The EU said changes in obligations under the Convention should be a trigger. ARGENTINA called for further analysis of the need to revise NIPs and SWITZERLAND encouraged the Secretariat to revisit the issue once practical experience is gained. The Secretariat will prepare a draft decision for consideration by INC-7.

Technical Assistance: The Secretariat introduced its notes on guidance on technical assistance (UNEP/POPS/INC.7/13), the feasibility and case studies on regional and subregional centers (UNEP/POPS/INC.7/14 and 15), and submissions in response to INC-6 decisions relating to technical assistance (UNEP/POPS/INC.7/16). She noted that recently pledged funds will activate postponed work on feasibility and case studies of regional and subregional centers. Many delegates reiterated the high priority of technical assistance and commended Canada, Italy, and Switzerland for their contributions.

ARGENTINA, EGYPT, ITALY, SWITZERLAND, SENEGAL and others stressed the need for synergies with the Basel Convention Regional Centers. CANADA recommended, *inter alia*: consulting with the Global Environment Facility on guidance for technical assistance; considering possible cooperation with not only the Basel Convention’s but also other relevant centers; and exploring the feasibility of the Capacity Assistance Network and its links to other networks.

ITALY, CHILE and EGYPT stressed the role of NIPs in identifying priorities for technical assistance. CHILE, supported by MOROCCO and others, highlighted the need to identify mechanisms for providing technical assistance, underscoring that regional centers are only one of many possible mechanisms for technical assistance. INC Chair Buccini said Chile’s concern would be reflected in the report of the meeting.

The AFRICAN GROUP said that the means of implementation are not properly addressed in the Secretariat’s note on guidance on technical assistance and suggested creating a working group to commence immediately and continue intersessionally. ARGENTINA, supported by VENEZUELA, noted the difficulties for small delegations to attend additional meetings at INC-7 and recommended holding informal discussions, while JAMAICA raised funding issues regarding the creation of a new working group. SAINT LUCIA, supported by ANTIGUA AND BARBUDA, noted the need for more detailed directions on technical assistance to the Caribbean region and called for synergies with UN Industrial Development Organization Cleaner Production Centres. SAMOA noted the importance of subregional centers. CAMEROON called for a new partnership on technology transfer in Sub-Saharan Africa. MEXICO called for a focus on capacity building.

COLOMBIA and others recommended using existing regional centers, whereas BRAZIL suggested expanding the feasibility study to include new centers. CHINA proposed adding the identifi-

cation of barriers to technology transfer to the list of “some common elements of technical assistance needs and priorities”, contained in the Annex to the report on guidance on technical assistance. VENEZUELA suggested identifying the means for eliminating such barriers. CHINA proposed that there should be one case study for each region. GHANA and ANTIGUA AND BARBUDA called for the strengthening of regional centers. CHILE requested a transparent evaluation of the role of the centers, including their limitations and needs.

INC Chair Buccini clarified that the feasibility study will assess whether the centers meet technical assistance needs and evaluate how to meet unfulfilled needs. He also underlined that the “common elements” are only examples and do not represent a limited or fixed list. He suggested requesting the Secretariat to prepare draft guidance on technical assistance, pursuant to Convention Article 12, taking into account delegates’ comments and relevant documents. Chair Buccini explained that the draft guidance and the findings of the feasibility and case studies would be submitted to COP-1.

BUDGET GROUP

The Budget Group, chaired by Fernando LUGRIS (Uruguay), discussed the budget’s reporting format and the 2004 budget. On the reporting format, delegates underscored the need for transparency, clarity, flexibility, greater levels of detail, and prioritization in budgeting. Several delegates noted the importance of budgeting as a planning tool. Executive Secretary Willis stressed the need to maintain flexibility in the reporting format to reflect the budgetary uncertainties of the interim period and suggested discussing the reporting timeframe. Delegates also addressed, *inter alia*: the merits of a biennial versus an annual budget; an option of listing priorities in an annex to the budget; and the possibility of having separate budgets for core and other expenditures.

Citing the relevant experiences of other multilateral environmental agreements, delegates discussed whether the budget report should list expenditure lines (“line-based” approach) or break the expenditures down by priority areas (“programmic” approach). The Group agreed that the Secretariat would draft both a line-based budget report for 2004 and one modeled on the INC-6 format with a more detailed breakdown of the main cost categories, taking into account LDG outcomes on financial rules.

IN THE CORRIDORS

Perceiving limited progress on technical assistance issues, some developing country delegates felt that a working group would be helpful in advancing the issue prior to COP-1. Other delegates were enthusiastic about the progress made in Plenary, but several feared that momentum might slow when issues discussed by the LDG are returned to Plenary. On a lighter note, Germany was shocked when it was mistakenly reported that it was offering 500,000 million Euros to host the Secretariat in Geneva!

THINGS TO LOOK FOR TODAY

PLENARY: Plenary will meet at 10:00 am in Room 2 to discuss the financial resources and mechanisms, interim financial arrangements, DDT, the register of specific exemptions, and possibly some outcomes of the LDG.

LDG: The LDG will convene in Room 17 after LDG Chair Anne Daniel’s (Canada) report to Plenary.

BUDGET GROUP: The Budget Group will meet today at a time and place to be announced.