

## THIRD MEETING OF THE CONFERENCE OF THE PARTIES TO THE STOCKHOLM CONVENTION: 30 APRIL - 4 MAY 2007

The third Conference of the Parties (COP-3) to the Stockholm Convention on Persistent Organic Pollutants (POPs) convenes today at the Méridien President Hotel, in Dakar, Senegal. The objective of the meeting is to adopt decisions related to: evaluation of the continued need for DDT for disease vector control and alternative strategies to replace DDT; criteria for the review process for entries in the register of specific exemptions; measures to reduce or eliminate releases from unintentional production of dioxin and furan and releases, including guidelines on best available techniques (BAT), provisional guidance on best environmental practices (BEP), and identification and quantification. Other issues to be addressed by the COP include: guidance on technical assistance; national implementation plans; listing chemicals in Annexes A (Elimination), B (restriction) or C (unintentional production) of the Convention; the report of the Global Environment Facility (GEF) on the implementation of the memorandum of understanding between the COP of the Convention and the Council of the GEF, the report of the GEF on its activities in support of the implementation of the Convention and other issues related to the financial mechanism; effectiveness evaluation; reporting; procedures and institutional mechanisms for determining non-compliance and for the treatment of parties found to be in non-compliance; enhancing synergies within the chemicals and waste cluster, and the supplementary report on cooperation and coordination among the Basel, Rotterdam and Stockholm Conventions; and adoption of the 2008-2009 budget. Other matters scheduled for discussion include official communications with parties and observers, and the list of official contact points and national focal points for information exchange.

### A BRIEF HISTORY OF THE STOCKHOLM CONVENTION

The Stockholm Convention 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) unintentionally produced POPs: dioxins and furans. Governments are to promote BAT and BEP for replacing existing POPs while preventing the

manufacturing 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; 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 unintentionally produced POPs. Precaution is operationalized throughout the Stockholm Convention, with specific references in the preamble, the objective and the provision on identifying new POPs. The Stockholm Convention entered into force on 17 May 2004 and currently has 144 parties.

**BACKGROUND:** POPs are chemical substances that persist, bioaccumulate in living organisms, and can cause adverse effects to human health and the environment. With 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. In March 1995, the UNEP Governing Council (GC) adopted decision 18/32 inviting the Inter-Organization Programme on the Sound Management of Chemicals (IOMC), the Intergovernmental Forum on Chemical Safety (IFCS) and the International Programme on Chemical Safety to initiate an assessment process regarding a 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 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 on the 12 POPs. 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, 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 list of 12 POPs. Also in February 1997, the second meeting of the IFCS decided that the *Ad Hoc* Working Group would continue to assist in the 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 the negotiations.

**NEGOTIATION OF THE CONVENTION:** The first session of the Intergovernmental Negotiating Committee (INC-1) was held from 29 June to 3 July 1998, in Montreal, Canada. INC-1 requested the Secretariat to prepare a document containing material for possible inclusion in an international legally binding instrument. The second session of the INC was held from 25-29 January 1999, in Nairobi, Kenya, where participants discussed a Secretariat-prepared outline of a convention text. The third session of the INC met from 6-11 September 1999, in Geneva, Switzerland, with delegates considering the revised draft text. They adopted a procedure establishing a review committee to apply screening criteria and to prepare a risk profile and risk management evaluation for proposed substances as a basis for further negotiation. The fourth session of the INC (INC-4) met from 20-25 March 2000, in Bonn, Germany. Delegates drafted articles on technical assistance and on financial resources and mechanisms, addressed control measures, and made headway on language on unintentionally produced POPs. The fifth session of the INC (INC-5) met from 4-10 December 2000, in Johannesburg, South Africa, with delegates concluding negotiations on the Convention on Saturday, 10 December.

**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 addressing interim financial arrangements and issues related to the Basel Convention; resolutions forwarded by the Preparatory Meeting; and the Final Act.

**INC-6:** The sixth session of the INC (INC-6) met from 17-21 June 2002, in Geneva, Switzerland. Delegates adopted decisions on: DDT and the register of specific exemptions; the POPs Review Committee; a clearing-house mechanism; technical assistance; financial resources and mechanisms and the interim financial mechanism; regional and subregional centers for capacity building and technology transfer; effectiveness evaluation; and non-compliance. INC-6 also established an Expert Group on BAT and BEP.

**INC-7:** The seventh session of INC (INC-7) was held from 14-18 July 2003, in Geneva, Switzerland. Delegates focused on addressing a number of "housekeeping" issues in preparation for the first COP. Decisions were adopted on, *inter alia*: offers to host the permanent Secretariat; technical assistance; national implementation plans; exempted use; party reporting; specific exemptions; DDT; interim financial arrangements; a standardized toolkit for the identification and quantification of dioxin and furan releases; measures to reduce or eliminate releases from stockpiles and wastes; effectiveness evaluation; the budget; and the financial mechanism.

**COP-1:** The first Conference of the Parties (COP-1) to the Stockholm Convention was held from 2-6 May 2005, in Punta del Este, Uruguay. To set the Convention's implementation in motion, delegates adopted a broad range of decisions related to: providing for the evaluation of the continued need for DDT use for disease vector control; establishing a review process for entries in the register of specific exemptions; adopting guidance for the financial mechanism; establishing a schedule for reporting; establishing arrangements for monitoring data on POPs; adopting rules of procedure and financial rules; adopting

the budget for the Secretariat; and establishing the POPRC. Other matters scheduled for discussion included: the format for the DDT Register and the Register of Specific Exemptions; the process for developing guidelines to assist parties in preventing the formation and release of unintentionally produced POPs; and guidelines on BAT and BEP.

**COP-2:** The Second Conference of the Parties (COP-2) took place from 1-5 May 2006, in Geneva, Switzerland. COP-2 considered several reports on activities within the Convention's mandate, and adopted 18 decisions on, *inter alia*: DDT; exemptions; financial resources and mechanisms; information exchange; BAT/BEP; identification and quantification of releases; measures to reduce or eliminate releases from wastes; implementation plans; listing chemicals in Annexes A, B and/or C of the Convention; reporting; technical assistance; synergies; effectiveness evaluation; and non-compliance.

### INTERSESSIONAL HIGHLIGHTS

**AD HOC TECHNICAL WORKING GROUP MEETING:** On effectiveness evaluation COP-2 agreed to implement the elements for the Global Monitoring Plan and to establish a provisional *Ad Hoc* Technical Working Group (TWG) to oversee the plan. The first meeting of the TWG was held from 9-12 October 2006, in Brno, Czech Republic and the second meeting from 30 January to 3 February 2007, in Geneva, Switzerland. Delegates agreed on, *inter alia*, the TWG workplan and the criteria for evaluation of the monitoring programmes. Participants also proposed to amend some elements of the guidance document for the Global Monitoring Plan related to quality procedures to obtain comparable data for the first assessment.

**POPRC-2:** The second meeting of the Persistent Organic Pollutants Review Committee (POPRC-2) of the Stockholm Convention took place from 6-10 November 2006, in Geneva, Switzerland. POPRC-2 considered several operational issues, including the treatment of isomers and precursors, confidentiality arrangements, and submission of information specified in Annex F of the Convention (Socioeconomic information). Delegates approved a roster of experts to assist the Committee in its work, as well as a standard work plan for the intersessional preparation of a draft risk profile and a draft risk management evaluation. COP-3 will consider POPRC-2 report and suggestions.

**EXPERT GROUP ON BAT-BEP:** The second meeting of the Expert Group on Best Available Techniques and Best Environmental Practices (BAT-BEP) was held in Geneva, from 19-24 November 2006. Delegates completed work on the enhancement or strengthening of the guidelines on

BAT and provisional guidance on BEP relevant to Convention's Article 5 (Measures to reduce or eliminate releases from unintentional production), and discussed the process for presenting the report of the Expert Group's work for COP-3 consideration.

### AD HOC JOINT WORKING GROUP ON ENHANCED COOPERATION AND COORDINATION BETWEEN THE BASEL, STOCKHOLM AND ROTTERDAM CONVENTIONS:

The *Ad Hoc* Joint Working Group held its first meeting from 26-28 March 2007, in Helsinki, Finland, developed guiding principles for its work, and identified the national needs to be addressed in promoting cooperation and coordination. The report of this meeting will be presented to delegates at COP-3.

**OWWG ON NON-COMPLIANCE:** The second meeting of the Open-Ended *Ad Hoc* Working Group on Non-Compliance (OWWG NC) was held from 25-27 April 2007, in Dakar, Senegal. Delegates addressed issues, including trigger systems and completed a draft text to be presented at COP3.

## POPS COP-3 HIGHLIGHTS:

MONDAY, 30 APRIL 2007

The third Conference of the Parties to the Stockholm Convention on Persistent Organic Pollutants (POPs COP-3) opened on Monday, 30 April, in Dakar, Senegal. During morning and afternoon plenary sessions, delegates heard opening statements and addressed organizational matters and rules of procedure. Plenary established the Committee of the Whole (COW) and the Budget Group, which met in the afternoon. The COW discussed the budget, technical assistance, regional centers and non-compliance. The COW established a contact group on regional centers and technical assistance and another one on non-compliance.

### OPENING PLENARY

COP-2 President Nick Kiddle (New Zealand) opened the plenary session, expressed appreciation to the Government of Senegal for hosting COP-3, and highlighted major developments relevant to POPs since COP-2, including: the activities of the Persistent Organic Pollutants Review Committee (POPRC) in receiving and analyzing information to make recommendations to COP on new controls for additional chemicals that were determined to pose significant risk of contamination of people and the environment; the work of the effectiveness evaluation group on the Global Monitoring Plan (GMP) and its required infrastructure; efforts at national level made by many parties in elaborating and submitting national implementation plans; and progress made on synergies among the chemical Conventions and on the Open-Ended Working Group on Non-Compliance (OEWG NC). He concluded by thanking all parties for their work and for having elected him COP-2 President.

Bakary Kante, on behalf of Achim Steiner, Executive Director of UNEP, noted the challenges faced by the Convention, including the need to deal with issues related to food and health, and the use of DDT for combating malaria, especially in Africa. He underscored the interlinkages among the Stockholm, Rotterdam and Basel Conventions and the need to establish regional centers that meet States' and people's needs globally. Highlighting the success of the Montreal Protocol, Kante urged parties to make further efforts on establishing the financial mechanism for the Convention. He stressed the importance of non-governmental organizations (NGOs), industry and other partners in implementing the Convention.

Abdoulaye Wade, President of Senegal, welcomed participants and, recalling on the incident of toxic waste dumping in Côte D'Ivoire, noted that there is no mechanism in place to guarantee that toxic waste will not enter the African Continent. He underscored the contradiction of using products to increase agricultural outputs and improve living conditions,

while having adverse effects on the environment and human health. On DDT and agriculture, he reported on his country's experience in using organic, rather than chemical fertilizers. President Abdoulaye Wade underscored the need for parties, especially donor countries, the Global Environment Facility (GEF) and partners to commit and mobilize technical and financial resources to allow the action defined in the national implementation plans to be undertaken.

### ORGANIZATIONAL MATTERS

**ELECTION OF OFFICERS:** Plenary elected Thierno Lô (Senegal) as COP-3 President and Jan-Karel Kwisthout (Netherlands) as Rapporteur, postponing nomination of other Bureau members to allow for further regional consultations.

**ADOPTION OF THE AGENDA:** Plenary adopted the agenda (UNEP/POPS/COP.3/1), with Uruguay, for The Latin American and Caribbean Regional Group (GRULAC), supported by Benin, for the AFRICAN GROUP, stressing the priority of the agenda items on regional centers and technical assistance.

**ORGANIZATION OF WORK:** Plenary established the COW, elected Karel Blaha (Czech Republic) as COW Chair and also created a Budget Group.

### RULES OF PROCEDURE

As some parties raised objections, plenary agreed to keep in bracketed text a provision for COP decisions to be taken, as a last resort, by a two-thirds majority vote of the parties (UNEP/POPS/COP.3/3). The issue was deferred to COP-4.

### REPORT ON THE CREDENTIALS

The Secretariat stressed the 24-hour deadline from the opening of COP-3 for parties to present their credentials and noted that the report will be presented to plenary on Wednesday.

### OTHER MATTERS

**STATUS OF RATIFICATION:** The Secretariat informed plenary that there are currently 143 States and one regional economic integration organization that have ratified, accepted, approved or acceded to the Convention (UNEP/POPS/COP.3/INF/22).

### COMMITTEE OF THE WHOLE

**BUDGET:** The Secretariat introduced documents relating to the budget (UNEP/POPS/COP.3/27; INF/16; INF/17; and INF/25), and deferred the issue to the Budget Group.

**TECHNICAL ASSISTANCE:** The Secretariat noted documents on: guidance for technical assistance (UNEP/POPS/COP.3/14); draft terms of reference (ToRs) for selecting regional and subregional centers for capacity building and transfer of technology (UNEP/POPS/COP.3/15 and INF/5); and compilation of submissions on technical assistance and transfer of technology

to assist developing countries to implement their plans for the elimination of POPs and other obligations under the Convention (UNEP/POPS/COP.3/INF/11). Karel Blaha, COW Chair, noted the magnitude of the task ahead and opened the floor for discussions.

GRULAC referred to Decision SC-1/15 (Technical assistance) that requests action by the Secretariat. He questioned the selection of regional centers based on project distribution and the mandate of the Secretariat in developing a strategy for technical assistance. He said ToRs do not incorporate previously made recommendations and that the priority areas are not adequate for the Latin American and Caribbean region.

While emphasizing the importance of regional centers for technology transfer, BRAZIL proposed making use of an environmental sanitation technology company as a regional center in the Latin American and Caribbean region and committed to work together with other countries to initiate such a center. He also noted that the financial mechanism is a key element for the Convention's implementation to provide resources for capacity building and technology transfer.

INDIA and VENEZUELA lamented lack of support from developed to developing countries in technical assistance and technology transfer, and urged for more assistance to be provided. He proposed that the GEF consider developing a fast-track mechanism for funding the Convention's implementation.

CHINA, supported by IRAN, BENIN, TRINIDAD AND TOBAGO, the AFRICAN GROUP, URUGUAY, JORDAN and the UNITED STATES (US), suggested making use of the existing Basel Convention Regional and Coordinating Centres (BCRCCs) as regional centers for the Stockholm Convention to avoid duplication, and improve efficiency, cooperation and coordination between the two Conventions. He supported the Secretariat's suggestion, as contained in UNEP/POPS/COP.3/14 to develop a draft strategy on priority areas, including alternatives and disposal of POP wastes. He urged COP-3 to propose to GEF that it allocate adequate resources and requested the Secretariat review the status of technical assistance and funding and report to COP-4.

MOROCCO stressed the need for a clear and tangible system for technical assistance and reinstated Morocco's offer to host a regional center. Germany, on behalf of the EUROPEAN UNION (EU), supported GEF placing greater emphasis on capacity building and stressed the Secretariat should focus on capacity building and technical assistance, as opposed to process. He said regional and subregional centers should be existing centers or institutions and that selection should be based on method and purpose.

Citing the efficacy of BCRCCs, IRAN supported integrating future Stockholm Convention regional centers into these. SENEGAL underscored the advantages of synergies between the Basel and Stockholm Conventions.

URUGUAY introduced UNEP/POPS/COP.3/CRP.2 prepared by countries currently hosting BCRCCs and stressed that compliance rests on adequate technical assistance and effective regional centers.

Supporting the use of existing BCRCCs, NORWAY and NEW ZEALAND expressed concerns about selection, while TANZANIA was worried about the pace of implementation.

JORDAN emphasized that technical assistance forms the backbone of the Convention. While stressing the importance of compliance discussions, JAPAN noted the opportunity to identify potential recipients of available GEF funds for technical assistance.

The International Pesticide Elimination Network (IPEN) suggested that observers be encouraged to submit case studies to support the Convention's work.

The COW established a contact group on regional centers and technical assistance to meet on Tuesday at 10am.

**NON-COMPLIANCE:** Anne Daniel (Canada), Chair of the OEWG NC, noted the second OEWG NC meeting made good progress, with brackets eliminated from most of the text,

some provisions having been deleted and others streamlined. She said that outstanding issues included: how to invoke procedures (triggers); measures to take in response to compliance difficulties; and the committee's composition. On regional centers, she noted the correlation between compliance, and technical and financial issues. She underscored that OEWG NC recommended a contact group be established during COP to further address the issue.

INDIA joined COW Chair Blaha in congratulating the group on its work and in urging continued action during the week. IRAN noted that parties were equal in their obligations but not in their capacities, calling for resources and experience to be taken into account. CHINA noted the existence of divergent opinions on non-compliance, underscoring the need for the transfer of technologies and resources.

Delegates established a contact group on non-compliance, which will report back to COW on Wednesday.

**EFFECTIVENESS EVALUATION:** The Secretariat introduced documents on effectiveness evaluation (UNEP/POPS/COP.3/22, 23, INF/14 and INF/15), reviewed agreements of previous COPs and outlined future steps to be taken by the *Ad Hoc* Technical Working Group on Global Monitoring Plan (TWG). TWG Co-Chair Ivan Holoubek (Czech Republic) presented the group's work over the intersessional period, underscoring key issues, such as: the drafting of work plans and schedules; responses to capacity needs questionnaires; financial implications; and the interpretation and assessment of data pertaining to human health. He called for COP to extend the Group's mandate.

MEXICO, supported by many, complimented the work of the TWG, and joined by AUSTRALIA, JAPAN, CANADA and the EU, suggested the use of the existing five UN regions rather than the six regions as suggested by the TWG in its report.

INDIA reported that eight laboratories had already been identified as regional centers for the implementation of GMP in the Asia Pacific.

CHINA, joined by CHILE, emphasized that substantial effectiveness evaluation is dependent on the availability of financial resources, and that implementing GMP. The EU supported the establishment of a global coordination group to replace TWG, and drew attention to the long-term need of developing countries for increased capacity in monitoring.

NEW ZEALAND noted the importance of cooperation with the Commission of the Convention for the Conservation of Antarctic Marine Living Resources in implementing GMP.

AUSTRALIA, supported by JAPAN, expressed reservation on the proposed global coordination group, saying that any arrangements should be cost effective, practical and achievable.

IPEN emphasized: a strategy on monitoring at global, national and regional levels; funding for global monitoring; transparency; and full stakeholders' involvement.

#### **WORKING GROUP**

**BUDGET:** Maged Younes, Secretariat, urged parties to volunteer for the position of the Budget Group Chair. He suggested, and delegates agreed, to postpone group discussions until Wednesday, since there were not enough party representatives in the room to hold negotiations.

#### **IN THE CORRIDORS**

Delegates, some dressed casually due to an unusually high amount of lost luggage, were in good spirits as they enjoyed the Senegalese sunshine on the opening day of COP-3. Whilst several sought information on the outcomes of the OEWG on non-compliance, others anticipated that the issues of finance, criteria for selection of regional centers and technology transfer would emerge as contentious throughout the week. Others, who scurried off to the WHO lunchtime side event on DDT, buzzed positively throughout the afternoon about WHO's renewed commitment to the eventual elimination of DDT.

## POPS COP-3 HIGHLIGHTS:

TUESDAY, 1 MAY 2007

The Committee of the Whole (COW) met throughout the day to address: measures to reduce or eliminate releases from intentional production and use of DDT, exemptions and evaluation of the continued need for the procedure under paragraph 2(b) of Article 3; best available techniques and best environmental practices to reduce or eliminate releases from unintentional production; a toolkit for the identification and quantification of dioxin and furan releases; and information exchange.

The COW established a contact group on effectiveness evaluation.

The contact groups on technical assistance and non-compliance met throughout the day. The budget group met in the afternoon, while the effectiveness evaluation group held discussions in the afternoon and evening.

### COMMITTEE OF THE WHOLE

**EFFECTIVENESS EVALUATION:** COW Chair Karel Blaha suggested, and delegates agreed, to establish a contact group on effectiveness evaluation (UNEP/POPS/COP.3/22). He explained that the outcome of the discussion would be incorporated into the results of the contact group on technical assistance and reported to plenary. KENYA supported the actions proposed in the document and emphasized human health effects of POPs. She also highlighted the need for financial resources, capacity building and partnerships.

### MEASURES TO REDUCE OR ELIMINATE RELEASES FROM INTENTIONAL PRODUCTION AND USE: DDT:

The Secretariat introduced documents UNEP/POPS/COP.3/4, 24 and INF/2. Recalling Decision SC-2/2 that requests parties to complete a questionnaire on the status of production and use of DDT, he noted that only 12 parties responded. He explained that the Secretariat simplified the questionnaire, and noted the *Ad Hoc* Technical Working Group (TWG) recommendations on elaborating a business plan for a global partnership to develop alternatives to DDT for disease vector control.

Citing a national decree to discontinue DDT use, VENEZUELA expressed concern about the negative impact of World Health Organization (WHO) policy on DDT use, saying those countries that have banned DDT might resume using it. VENEZUELA and the EU supported the revised questionnaire prepared by the Secretariat.

The EU emphasized the importance of phasing out DDT in the long term, but recognized its effectiveness as a disease vector control. He encouraged the Secretariat to continue strengthening parties' capacity for reporting DDT use and production and further work on integrated vector management (IVM) in cooperation with WHO, UNEP and financial institutions.

He supported the TWG's recommendation on promoting a global partnership to develop a business plan for developing alternatives.

SWITZERLAND highlighted the need for management approaches to avoid DDT contamination. NORWAY suggested amending UNEP/POPS/COP.3/4 to include development and deployment of new alternative "methods and strategies," and supported by the AFRICAN GROUP, said that DDT should not be considered the final solution to malaria. MEXICO, supported by the AFRICAN GROUP and WHO, stressed the need to develop and deploy cost-effective alternatives. ZAMBIA and UGANDA underscored that capacity building is needed to assist developing countries in minimizing risks associated with DDT use. SENEGAL stressed the importance of integrated pest control, such as provision of sound sanitation. KENYA underscored a national ban on DDT use in his country and NAMIBIA, UGANDA and MOZAMBIQUE noted their continued use for disease vector control.

WHO clarified its position on DDT use, noting the organization's commitment to reduction and eventual elimination of DDT while simultaneously minimizing the occurrence of vector-borne diseases. She added that countries require financial and technical support to implement IVM. JAPAN emphasized the importance of further coordination between WHO and the Secretariat.

The REPUBLIC OF KOREA suggested the GEF prioritize DDT issues. PERU expressed concern about populations exposed to DDT and the occurrence of numerous diseases, including cancer. She requested the Secretariat elaborate a baseline study on such populations. MOROCCO stressed the importance of mobilizing the necessary financial resources to promote developing countries' access to alternative DDT products and techniques. INDIA referred to an association between climate change and increase of malaria's development and transmission.

CHINA said that his country has completed an import and export chemical control list and will eventually eliminate DDT production, use and export for disease control. The GAMBIA stressed the importance of focusing on the adoption of IVM methods to reduce mosquito populations and human infection. SUDAN asked donors and the GEF to support the IVM programme. DJIBOUTI cited illegal trade of DDT as a serious problem and suggested strengthening capacity in developing countries to reduce such illegal practices. ZIMBABWE noted his country continues to use DDT for malaria control and supported affordable, appropriate and cost-effective alternatives. PAN called upon parties to comply with Convention obligations, ensuring that further exposure of communities to DDT is prevented. IPEN highlighted the limited research on alternative products and suggested health monitoring in areas of DDT use.

COW Chair Blaha suggested, and the COW agreed, to ask the Secretariat to prepare a draft decision on the issue.

**Exemptions:** The Secretariat introduced document UNEP/POPS/COP.3/5 summarizing the review process for entries in the register for specific exemptions adopted in Decision SC-1/24. Highlighting bracketed paragraphs in this decision, the Secretariat asked COP-3 to consider whether to establish a separate subsidiary body to assess and make recommendations to COP on extension requests for use of Annex A (Elimination) chemicals, or whether the COP should do this itself.

The EU emphasized that extensions should only be granted in well-justified cases on the basis of specific proposals. The EU proposed the Secretariat review extension request reports in order to avoid establishing an additional expert group. COW Chair Blaha, supported by CANADA and CHINA, suggested the Secretariat prepare a draft Conference Room Paper (CRP) based on the EU proposal. The US suggested the work be carried out by the POPs Review Committee (POPRC).

**Evaluation of the continued need for the procedure under paragraph 2(b) of Article 3:** The Secretariat explained that paragraph 2(b) of Article 3 of the Convention specifies that an exporting party must provide annual certification on chemical characteristics and other related information and both the exporting and importing parties must comply with the Convention requirements. He pointed out that there is currently a lack of data and information in this area. COW Chair Blaha requested the Secretariat prepare a draft decision on the issue.

**MEASURES TO REDUCE OR ELIMINATE RELEASES FROM UNINTENTIONAL PRODUCTION: Best available techniques and best environmental practices:** The Secretariat introduced documents UNEP/POPS/COP.3/7, INF/4 and UNEP/POPS/EGBATBEP.2/4 on best available techniques and best environmental practices (BAT/BEP). CANADA, the EU, SWITZERLAND, JAPAN, BRAZIL, the AFRICAN GROUP, ICELAND, JORDAN, AUSTRALIA, CHINA, NORWAY, THAILAND and MOLDOVA supported adoption of the draft guidelines on BAT, and provisional guidance on BEP. COW Chair Blaha asked the Secretariat to prepare a draft decision incorporating all written submissions by parties.

#### **TOOLKIT FOR THE IDENTIFICATION AND QUANTIFICATION OF DIOXIN AND FURAN RELEASES:**

The Secretariat introduced documents UNEP/POPS/COP.3/8, INF/6 and INF/24 on the standardized toolkit for the identification and quantification of dioxin and furan releases. ZAMBIA and JORDAN stressed the need to simplify technical language. Recognizing the toolkit's importance, the AFRICAN GROUP noted that improvements and assistance are still needed. CHINA underlined the insufficiency of data on emission factors and the importance of further research. MEXICO stressed the need for funding to strengthen the toolkit and for capacity building in its use. Subject to available resources, the EU supported updating the toolkit, and JAPAN said that funding for toolkit improvement is not as high a priority as BAT/BEP and that cost effective ways of improvement should be sought. KENYA urged that the issue of "open burning" of waste be prioritized and for a country to be identified to carry out a pilot project. SENEGAL underscored the need to evaluate emission factors on the African continent. The US noted the trade off between funding availability and the amount of data collected, and suggested having only one meeting of the group before COP-4. COW Chair Blaha proposed, and delegates agreed, that a draft decision be prepared by the Secretariat.

**INFORMATION EXCHANGE:** The Secretariat introduced documents on information exchange and the clearing-house mechanism (UNEP/POPS/COP.3/13, INF/9 and INF/10). The EU recommended extending the pilot phase and postponing a decision on the strategic plan until COP-4. INDIA suggested the clearing-house mechanism be considered an enabling activity and initiated immediately. COW Chair Blaha deferred discussion on the issue until Wednesday morning.

#### **CONTACT GROUPS**

**TECHNICAL ASSISTANCE:** The group was co-chaired by Jozef Buys (Belgium) and Angelina Madete (Tanzania). Co-Chair Buys introduced the issues of regional centers and guidance on technical assistance. On centers and institutions suitable to serve as Stockholm regional centers, participants agreed Basel Convention Regional and Coordinating Centres (BCRCCs) could qualify. A few participants noted that elements of the Stockholm Convention, including alternatives to DDT, could not be adequately addressed by the BCRCCs. Participants discussed draft ToRs for selection of the regional centers (UNEP/POPS/COP.3/15). Some delegates questioned the applicability of the Secretariat's nominated priority areas of effectiveness evaluation and DDT, and stressed the importance of reflecting regional priorities. The EU supported a project-based approach for selection of regional centers, whilst many expressed concern that this may sacrifice capacity building and continuity of centers. Uruguay proposed that during the intersessional period, regions nominate entities to serve as regional centers, and a process for center approval. As at 9:30 pm the group was discussing the draft decision prepared by the Secretariat.

**NON-COMPLIANCE:** The Chair of the Open Ended Working Group on Non-Compliance (OEWG NC), Anne Daniel (Canada), steered the group through the text on non-compliance procedures under Article 17 of the Convention (UNEP/POPS/OEWG-NC.2/2). Delegates focused on procedures for submissions, mainly on facilitation by the Committee and possible action by the COP, remodelling the text into a clear sequence of actions. Participants debated when to consider the need for technical and financial assistance, drew parallels with the Basel Convention and grappled over making instances of non-compliance public. During the evening session, the group considered issues of consultation and information, and expected to go on until 11.00 pm.

**BUDGET:** Chaired by John Roberts (UK), group participants commented on the revised version of UNEP/POPS/COP.3/INF/17 and its annexes on, *inter alia*: 2006-2007 budget expenditure; Special Trust Fund and General Trust Fund contributions for 2007; and proposed operational budget for 2008-2009. One participant stressed the importance of a zero nominal growth budget, while others questioned: the use of savings and surplus; parties in arrears; and expenditures on consultants, subcontractors and permanent staff. The Secretariat will collate information for presentation to the group on Wednesday.

**EFFECTIVENESS EVALUATION:** Co-chaired by Thérèse Yarde (Barbados) and Ivan Holoubek (Czech Republic), participants discussed the regional groupings, and the oversight body for implementation of the Global Monitoring Plan (GMP). Most delegates favored using the existing five UN regional groups. Delegates generally agreed to establish an oversight body to facilitate and coordinate GMP implementation. With regard to its composition, some delegates preferred a small group consisting of five members with one representative from each region, while others supported three representatives. Discussions were expected to continue until 11:00 pm.

#### **IN THE CORRIDORS**

The COW started a bit late as many participants failed to return the translation headsets for recharging at the end of Monday's sessions. Once sessions began, some participants from smaller delegations worried about attending simultaneously occurring contact groups, and others commented they favored staying in the plenary hall to reduce the risk of getting lost again in the maze of corridors. Technical assistance and compliance remained key concerns for many participants throughout the day, and numerous delegates were optimistic about the progress made thus far.

## POPS COP-3 HIGHLIGHTS: WEDNESDAY, 2 MAY 2007

Plenary met in the morning to address election of officers and hear reports on credentials and the budget group.

The Committee of the Whole (COW) met throughout the day to: hear reports of the technical assistance, non-compliance and effectiveness evaluation contact groups; and to discuss financial resources, listing chemicals in Annexes A (Elimination), B (Restriction) or C (Unintentional production) of the Convention, reporting, and national implementation plans (NIPs).

The contact groups on non-compliance, effectiveness evaluation and technical assistance met throughout the day and evening. The budget group met in the afternoon.

### PLENARY

**REPORT ON CREDENTIALS:** Thierno Lô, COP-3 President, presented the report, explaining that 83 parties submitted credentials of representatives, eight parties are yet to submit their credentials and four parties are required to clarify their credentials. He said the Bureau would provide an updated report to plenary on Friday morning.

**ELECTION OF OFFICERS:** COP-3 President Lô noted that nominations to the Bureau must be completed by all regions by Friday.

**BUDGET GROUP REPORT:** Budget Group Chair John Roberts reported that the group had an initial exchange of information and discussions continued on financial and budget issues.

### COMMITTEE OF THE WHOLE

**CONTACT GROUP REPORTS:** Chair of the Open Ended Working Group on Non-Compliance (OEWG NC) Anne Daniel reported progress on measures and information and said that discussion on triggers would continue.

Technical assistance Co-Chair Jozef Buys reported a draft text had been developed during his group's debate, and noted that many brackets remained. GRULAC stressed the technical assistance group mandate is to develop a process for selecting regional centers, as opposed to projects. He said if parties recall this common vision, many brackets could be removed.

Effectiveness evaluation Co-Chair Ivan Holoubek noted agreement on regional groupings and said negotiations on a draft decision would continue.

CHINA said the technical assistance deliberations indicated it may take 30 months for Stockholm regional centers to begin providing assistance. Noting technical assistance as a prerequisite for a non-compliance procedure, CHINA questioned how this would work.

**FINANCIAL RESOURCES:** The Secretariat noted documents on financial resources (UNEP/POPS/COP.3/16, 17, 18, 19 and 20.rev.1), which consider the Global Environment Facility (GEF) report, mobilization of resources, terms of reference (ToRs) for the second review of the financial mechanism, needs assessment and its ToRs. The GEF Secretariat outlined the GEF report on the effectiveness of implementation of the Memorandum of Understanding (MoU) between the Stockholm Convention and the GEF (UNEP/POPS/COP.3/INF/3), underscoring that the GEF 4th replenishment (GEF-4) allocated US\$300 million to POPs focal areas for 2006-2010 period. Many, including MOROCCO, BURKINA FASO, INDIA, and GRULAC, congratulated the GEF on its report, and underscored the importance of new and additional financial resources to implement the Convention.

SWITZERLAND said more resources are necessary for implementing chemical conventions, especially the Stockholm Convention and the Strategic Approach to International Chemicals Management (SAICM), and suggested regular review of developing country needs. The EU underscored that the GEF should continue to be the financial mechanism of the Convention, and encouraged parties to link their POP policy to their national environmental plans and achieving the Millennium Development Goals. SENEGAL stressed the need to increase capacity of Convention focal points. The AFRICAN GROUP supported mobilization of funds to implement Convention objectives and reduce poverty. CANADA noted that parties should consider all sources of funding, including from NGOs and the private sector. On ToRs for the second review of the financial mechanism, JAPAN underscored the importance of including further objective elements in the performance criteria. CHINA, supported by NAMIBIA, stressed the importance of streamlining the GEF project cycle to ensure funds can be accessed by developing countries in a timely manner.

JORDAN called for resources to be allocated to needs assessment. The US highlighted the work of the Gates Malaria Partnership on developing DDT alternatives. The UNITED NATIONS UNIVERSITY offered to share its experience in private sector partnerships. IPEN noted funding concerns for implementing the Convention and the need to engage

parties in the intersessional period to prepare for the 5th GEF replenishment. The World Bank recommended linking POP issues to the development agenda. CHINA and INDIA backed the creation of an expert group to look into the financial mechanism. COW Chair Blaha suggested, and COW agreed to ask: the technical assistance contact group to take the lead on the issue; and the Secretariat to prepare draft reports on the implementation of the MoU, the ToRs for the second review of the financial mechanism, and the assessment of funding needs.

**LISTING CHEMICALS IN ANNEXES A, B OR C OF THE CONVENTION:** The Secretariat introduced UNEP/POPS/COP.3/12, INF/20, and UNEP/POPS/POPRC.2/17 regarding activities undertaken by the second session of the POPs Review Committee (POPRC-2). POPRC-2 Chair Reiner Arndt summarized POPRC work and encouraged parties to submit comments on the draft risk profiles. JAPAN and CHINA, expressed concerns about the POPRC technical review process, including, on precursors, bioaccumulation and commercial products. INDIA stressed that production data should not be confidential and said the POPRC should consider proposed chemicals specifically, and not isomers. Noting support for the proposal contained in the documents, the EU emphasized the difference between risk profiles and assessments. The AFRICAN GROUP stressed the need to strengthen developing country participation in the POPRC.

The INTERNATIONAL COUNCIL OF CHEMICAL ASSOCIATIONS (ICCA) and CROPLIFE INTERNATIONAL called for parties to provide data on ecotoxicity. The INTERNATIONAL TRADE UNION CONFEDERATION expressed concern on confidentiality of information relating to health and environmental issues. IPEN noted that civil society demands a moral approach to contaminants. POPRC-2 Chair Reiner Arndt, in response to Japan, proposed including application of bioaccumulation criteria in the POPRC-3 agenda. He noted perfluorooctane sulfonate (PFOS) and commercial mixtures would be addressed at POPRC-3. He reminded the COP to solve the confidentiality issue, noting that thus far, in dealing with eight chemicals, there had been no problems. COW Chair Blaha confirmed appointment of Liselott Säll (Norway) to replace Janneche Utne Skare (Norway) on the Committee. COW Chair Blaha also asked the Secretariat to prepare draft decisions on isomers and the treatment of confidential information.

**REPORTING:** The Secretariat introduced UNEP/POPS/COP.3/21 on reporting. CAMBODIA, supported by many, noted difficulties in using the system and called for training. JAPAN lamented the lack of flexibility in the system, and CHILE, supported by many, requested translation into all the UN official languages. The FORMER YUGOSLAV REPUBLIC OF MACEDONIA and KUWAIT informed COW of the nomination of an official focal point. COW Chair Blaha proposed, and COW agreed, to request that the Secretariat prepare a draft decision on reporting.

**NIPs:** The Secretariat introduced UNEP/POPS/COP.3/10, 11, 29 and INF/8 on national implementation plans (NIPs). Stressing the need for financial and technical assistance for implementation, many developing countries outlined the status of development and timeline for transmission of their NIPs to the Secretariat. CHINA, supported by NORWAY, proposed that the Secretariat invite experts from developing countries, countries with economies in transition and international organizations to participate in drafting additional guidance for NIPs. COW Chair Blaha noted that discussions would resume on Thursday.

## CONTACT GROUPS

**NON-COMPLIANCE:** The group discussed procedures for submissions to be made to the non-compliance committee, including: triggers; the composition of the committee; and the objectives, nature and underlying principles, with some delegates noting the effectiveness of smaller groups and others debating the need to demonstrate that a country is affected by another party's failure to comply. By the evening session, much progress had been made on the text. Negotiations were completed at 9:30 pm with few remaining issues yet to be agreed. Chair Daniel will carry out informal bilateral consultations throughout Thursday to iron out the outstanding issues.

**TECHNICAL ASSISTANCE:** Co-Chair Jozef Buys explained the group had the mandate to discuss financial resource issues, and that this would be undertaken after completing work on regional centers. Participants achieved agreement on all but two contentious issues, namely: hosting regional and sub-regional centers, in which CHINA proposed language stipulating only developing countries and countries with economies in transition could host such centers, with which the EU and JAPAN disagreed; and inclusion of a criterion for candidate Stockholm centers to submit a programme of work or project proposal. Negotiations were expected to continue until 11:00 pm in an attempt to resolve those issues.

**BUDGET:** The budget group, chaired by John Roberts, continued discussing the 2006-2007 operational budget and the 2008-2009 estimated budget (UNEP/POPS/COP.3/INF/17 version 2 and its annexes). On the need for consultants to develop guidelines for NIPs, effectiveness evaluation, financial mechanism evaluation, DDT information system, clearing-house mechanism, needs assessment and synergy, one participant favored focusing on effectiveness evaluation. Participants also discussed: the distribution of work among permanent staff; the proposed 2008-2009 UN scale of assessments for the apportionment of contributions to the General Trust Fund; the projected expenditure for 2007; and outstanding contributions. Participants initiated discussions on a draft decision on financing and 2008-2009 budget and requested the Secretariat to elaborate options for budget scenarios.

**EFFECTIVENESS EVALUATION:** Co-chaired by Thérèse Yarde (Barbados) and Ivan Holoubek (Czech Republic), participants agreed on a draft decision on effectiveness evaluation, including the establishment of coordination and regional organization groups. Regarding the size of the coordination group, India, on behalf of the ASIAN GROUP, and CHINA insisted on having at least three representatives from each region for a total of 19, and requested tasking the body with coordinating implementation of the global monitoring plan (GMP), but developed countries disagreed. The group asked the Secretariat to prepare annexes to the draft decision, including these differences which will be bracketed and discussed at the COW. The contact group also agreed on a text related to regional groupings, which will be reflected in the amended GMP.

## IN THE CORRIDORS

Delegates seemed outnumbered by the hostesses as they constantly changed into a variety of beautiful traditional outfits. The colors dimmed as participants filed into the different contact groups, gritting their teeth for another day of hard negotiations. Non-compliance and effectiveness evaluation came along in leaps and bounds, whilst budget took its time, many eyes being turned towards financial issues in the first place. With many groups continuing into evening session again, delegates aspired to imitate COW Chair Blaha, who threatened to take a nap at the closing of the COW afternoon session.



## POPS COP-3 HIGHLIGHTS: THURSDAY, 3 MAY 2007

The Committee of the Whole (COW) met throughout the day to: hear reports of the budget, technical assistance, non-compliance and effectiveness evaluation contact groups; and to discuss national implementation plans (NIPs), synergies, POPs wastes and information exchange. The COW also considered draft decisions on, *inter alia*: revised process for the review of entries in the register of specific exemptions; guidelines on best available techniques (BAT) and draft guidance on best environmental practices (BEP); standardized toolkit for identification and quantification of releases; reporting; and DDT.

The contact groups on technical assistance and the budget met throughout the day and evening. Informal consultations were held on non-compliance and POPs wastes. A Friends of the Non-Compliance Contact Group Chair met in the evening to resolve outstanding issues.

### COMMITTEE OF THE WHOLE

**CONTACT GROUP REPORTS:** Budget Co-Chair John Roberts summarized his group's work and noted that participants would address substantive issues such as the budget's size and distribution.

Technical Assistance Co-Chair Angelina Madete reported the group's progress on the selection process of regional centers and underscored bracketed texts remained on centers' location and work plan. She noted the group was yet to begin working on financial resource issues. CHINA stressed the importance of starting discussions on financial resource issues as soon as possible.

Non-Compliance Chair Anne Daniel reported that the group agreed she would conduct informal bilateral consultations throughout Thursday and that a Friends of the Chair meeting would convene Thursday evening on outstanding issues.

Effectiveness Evaluation Co-Chair Ivan Holoubek noted agreement on a draft decision, including: the amended global monitoring plan (GMP); the amended implementation plan; GMP report; establishment of regional organization groups and their duties; and the establishment of a coordination group.

**NIPs:** The EU encouraged parties to finalize their NIPs and to clearly identify national priorities in order to explore synergies with other international chemical regimes such as SAICM, and supported using the draft guidance on socioeconomic assessment for implementing NIPs in a flexible manner. MALI requested a faster and simpler financial procedure for NIPs. CAMBODIA urged the Secretariat to continue providing technical assistance. Noting that the great majority of parties did not use the socioeconomic guidance when elaborating NIPs, BRAZIL underscored the need for capacity building. DJIBOUTI highlighted the need for financial resources to comply with Convention obligations.

ARGENTINA, TONGA, BENIN, TURKEY and TAJIKISTAN reported completion and submission of their countries' NIPs. UGANDA noted that his country has not yet completed the NIP due to lack of experience and capacity.

GRULAC noted that GRULAC countries are not able to fulfill the requirement of reporting within the timeframe set forth in UNEP/POPS/COP.3/21 because it was not available early enough to do so, and requested it be translated into the UN languages. TURKEY explained his country's activities to implement the Convention, including: testing POPs concentration in human blood; organizing training programmes on PCBs; conducting inventories; and developing regulations.

The ROTTERDAM CONVENTION SECRETARIAT highlighted the importance of synergies among the chemical and waste conventions in elaborating NIPs. He emphasized that revision of the NIP guidance document should take into account the linkages of the three chemical-related conventions. The US supported developing the guidance document on socioeconomic cost assessment, but encouraged peer-reviewed cost-benefit models. COW Chair Blaha asked countries to complete their NIPs as soon as possible, and requested the Secretariat prepare a draft decision on the issue.

**SYNERGIES :** The Secretariat provided a brief summary of the first meeting of the *Ad Hoc* Joint Working Group on Enhancing Cooperation and Coordination Between the Stockholm, Basel and Rotterdam Conventions (UNEP/FAO/CHW/RC/POPS/JWG.1/4). Working Group Co-Chair Kerstin Stendahl-Rehardt (Finland) noted that the Group identified activities already underway, future activities, and activities regarding decision making and oversight. The EU, INDIA,

SWITZERLAND, the AFRICAN GROUP, SUDAN, GRULAC, FINLAND, JAPAN and JORDAN stressed the importance of synergies. NORWAY, the AFRICAN GROUP, KIRIBATI and GRULAC supported integrating Basel regional centers and Stockholm regional centers to promote practical synergies at the regional level. JAPAN and SWITZERLAND inquired about the cost of convening a second meeting of the *Ad Hoc* Joint Working Group (AHJWG). The US supported cost-saving synergies as opposed to substantive and institutional consolidation synergies. IPEN highlighted the closed nature of AHJWG and need for stakeholder involvement in future meetings.

**POPS WASTES:** The Secretariat reported on guidelines relating to POPs wastes adopted by the COP to the Basel Convention (UNEP/POPS/COP.3/9). The EU drew attention to a draft prepared with SWITZERLAND (UNEP/POPS/COP.3/CRP.8) that further incorporated linkages with the Basel Convention. JAPAN supported the draft, whilst GRULAC and the AFRICAN GROUP requested more time to consider it. Supporting the EU-Switzerland proposal, TOGO stressed the importance of integration between the conventions. NORWAY proposed modifications to the EU-Switzerland text and suggested a working group revise it, but CANADA, CHINA and INDIA favored the Secretariat draft. INDIA and ARGENTINA proposed creating an intersessional working group. IPEN and the INTERNATIONAL TRADE UNION CONFEDERATION expressed concern over the chemical concentrations in both drafts, stressed they pose health risks and that many developing countries classify lower concentration of POPs as hazardous.

COW Chair Blaha established an informal group on POPs wastes, and requested the main actors consult, reach a compromise on the controversial issues and report the results to the COW. The group met in the afternoon and Jane Stratford (UK) reported back to COW that the group valued the Basel guidelines but could not reach agreement on the drafts.

**INFORMATION EXCHANGE:** The EU expressed hesitation about establishing a clearing-house mechanism on POPs and taking a decision that may jeopardize the effectiveness of the AHJWG work. However, he said the EU supported a decision taking into account the above. COW Chair Blaha asked the Secretariat to prepare a draft decision.

#### **CONSIDERATION OF THE DRAFT DECISIONS:**

**Revised process for the review of entries in the register of specific exemptions:** Regarding the bracketed text in the annex to the draft decision UNEP/POPS/COP.3/CRP.5, JAPAN and CANADA questioned the appropriateness of tasking the Secretariat with developing a recommendation on extension of exemptions, and proposed giving POPRC the task instead. Delegates agreed to alter language to request the Secretariat "prepare a report," and COP-4 will make a "sunset" review of this task. The COW agreed on the draft decision as amended.

**Evaluation of the continued need for the procedure under paragraph (b) of Article 3:** The COW agreed to forward the draft decision (UNEP/POPS/COP.3/CRP.6) without amendment.

**Guidelines on BAT and draft guidance on BEP:** On the draft decision UNEP/POPS/COP.3/CRP.10, the EU suggested deleting text referring to the GEF, preferring that all GEF-related items be compiled in a single decision. MOROCCO, supported by CHINA, emphasized the importance of referring to the GEF. COW Chair Blaha suggested, and the COW agreed, to

put a footnote in the draft decision stating that the text would be moved to the draft decision on the GEF. With this change, the COW agreed on the draft decision.

**Standardized Toolkit:** COW Chair Blaha presented the draft decision on guidelines on the standardized toolkit for identification and quantification of releases (UNEP/POPS/COP.3/CRP.9). BRAZIL welcomed the draft decision but underlined the need to review and update the section on dioxins and furans. The COW agreed to the draft decision with minor amendments.

#### **Listing chemicals in Annexes A, B or C of the Convention:**

COW Chair Blaha presented the draft decision on listing chemicals in Annexes A, B or C of the Convention (UNEP/POPS/COP.3/CRP.14). INDIA stressed the need to disclose information on production. COW Chair Blaha said that these concerns would be noted in the meeting report and proposed, and COW agreed, to send the draft decision to plenary.

**Reporting:** COW Chair Blaha presented UNEP/POPS/COP.3/CRP.15 on reporting to which the COW agreed.

**DDT:** COW Chair Blaha presented draft decision UNEP/POPS/COP.3/CRP.7 on DDT. The EU proposed additional language including collaboration with the WHO. INDIA proposed several changes, including the need to give further importance to countries in malaria regions when nominating experts. As no agreement was reached, COW Chair Blaha requested the Secretariat prepare another draft decision to be considered by plenary.

#### **CONTACT GROUPS**

**BUDGET:** The Secretariat presented a revised draft decision on the 2008-2009 financing and budget. Several participants asked the Secretariat to improve the budget format regarding synergies to ensure parties know the expenditure of each convention for cooperative activities. Many participants also requested the Secretariat look into UN best practices on budgeting and strategic indicators. Negotiations were expected to continue until 11:00 pm.

**TECHNICAL ASSISTANCE:** Co-Chair Jozef Buys explained the technical assistance group agreed to draft decisions: on the MoU between the COP and the GEF Council; resource mobilization in the financial issues package; and guidance relating to the technical assistance package. The group was expected to work through the night on draft decisions related to: ToRs for the second review; needs assessments; regional centers; and additional guidance on financial resources.

#### **IN THE CORRIDORS**

Delegates entered the congress center on the fourth day of negotiations looking slightly tired after another evening of contact groups. Some speculated that because financial issues will be addressed by the technical assistance group, it may act as a "carrot" to hasten agreement on regional centers. As rumors circulated, others doubted it, saying that conference organizers had booked returning buses to nearby hotels up until 4:00 am. In the COW, some participants were surprised by one country's seemingly random reference to "ducks and nuts," others wondered if the expression was a code for some secret message!

**ENB SUMMARY AND ANALYSIS:** The *Earth Negotiations Bulletin* summary and analysis of COP-3 will be available on Monday, 7 May 2007, online at: <http://www.iisd.ca/chemical/pops/cop3/>

## SUMMARY OF THE THIRD MEETING OF THE STOCKHOLM CONVENTION ON PERSISTENT ORGANIC POLLUTANTS: 30 APRIL - 4 MAY 2007

The third meeting of the Conference of the Parties (COP-3) to the Stockholm Convention on Persistent Organic Pollutants (POPs) was held from 30 April - 4 May 2007, in Dakar, Senegal. Over 450 participants, representing more than 180 governments, UN agencies, and intergovernmental and non-governmental organizations, attended the meeting. COP-3 considered several reports on activities within the Convention's mandate and adopted 22 decisions on, *inter alia*: a revised process for the review of entries in the register of specific exemptions; DDT; measures to reduce or eliminate releases from wastes; guidelines on the standardized toolkit for identification and quantification of releases; guidelines on best available techniques (BAT) and draft guidance on best environmental practices (BEP); regional centers; listing chemicals in Annexes A, B or C of the Convention; reporting; effectiveness evaluation; national implementation plans; budget; financial resources; technical assistance; synergies; and non-compliance. Delegates also agreed that COP-4 will take place from 4-8 May 2009, in Geneva, Switzerland.

### A BRIEF HISTORY OF THE STOCKHOLM CONVENTION

The Stockholm Convention 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) unintentionally produced POPs: dioxins and furans. Governments are to promote BAT and BEP for replacing existing POPs while preventing the manufacturing 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; 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 unintentionally produced POPs. Precaution is operationalized throughout the Stockholm Convention, with specific references in the preamble, the objective and the provision on identifying new POPs. The Stockholm Convention entered into force on 17 May 2004 and currently has 144 parties.

**BACKGROUND:** POPs are chemical substances that persist, bioaccumulate in living organisms, and can cause adverse effects to human health and the environment. With 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. In March 1995, the UNEP Governing Council (GC) adopted decision 18/32 inviting the Inter-Organization Programme on the Sound Management of Chemicals (IOMC), the Intergovernmental Forum on Chemical Safety (IFCS) and the International Programme on Chemical Safety to initiate an assessment process regarding a 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,

### IN THIS ISSUE

A Brief History of the Stockholm Convention . . . . .	1
COP-3 Report . . . . .	2
A Brief Analysis of COP-3 . . . . .	10
Upcoming Meetings . . . . .	11
Glossary . . . . .	12

This issue of the *Earth Negotiations Bulletin* © <enb@iisd.org> is written and edited by Karen Alvarenga, Ph.D., Melanie Ashton, Sikina Jinnah, Olivia Pasini and Kunbao Xia. The Digital Editor is Joe Nyangon. The Editors are Pia M. Kohler, Ph.D. and Pamela S. Chasek, Ph.D. <pam@iisd.org>. The Director of IISD Reporting Services is Langston James "Kimo" Goree VI <kimo@iisd.org>. The Sustaining Donors of the *Bulletin* are the United Kingdom (through the Department for International Development - DFID), the Government of the United States of America (through the Department of State Bureau of Oceans and International Environmental and Scientific Affairs), the Government of Canada (through CIDA), the Danish Ministry of Foreign Affairs, the Government of Germany (through the German Federal Ministry of Environment - BMU, and the German Federal Ministry of Development Cooperation - BMZ), the Netherlands Ministry of Foreign Affairs, the European Commission (DG-ENV) and the Italian Ministry for the Environment and Territory General Directorate for Nature Protection. General Support for the *Bulletin* during 2007 is provided by the Swiss Federal Office for the Environment (FOEN), the Norwegian Ministry of Foreign Affairs and the Ministry of Environment, the Government of Australia, the Austrian Federal Ministry for the Environment, the Ministry of Environment of Sweden, the New Zealand Ministry of Foreign Affairs and Trade, SWAN International, the Japanese Ministry of Environment (through the Institute for Global Environmental Strategies - IGES) and the Japanese Ministry of Economy, Trade and Industry (through the Global Industrial and Social Progress Research Institute - GISPRI). Funding for translation of the *Earth Negotiations Bulletin* into French has been provided by the International Organization of the Francophonie (IOF) and the French Ministry of Foreign Affairs. Funding for the translation of the *Earth Negotiations Bulletin* into Spanish has been provided by the Ministry of Environment of Spain. The opinions expressed in the *Earth Negotiations Bulletin* are those of the authors and do not necessarily reflect the views of IISD or other donors. Excerpts from the *Earth Negotiations Bulletin* may be used in non-commercial publications with appropriate academic citation. For information on the *Bulletin*, including requests to provide reporting services, contact the Director of IISD Reporting Services at <kimo@iisd.org>, +1-646-536-7556 or 212 East 47th St. #21F, New York, NY 10017, USA.

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 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 on the 12 POPs. 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, 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 list of 12 POPs. Also in February 1997, the second meeting of the IFCS decided that the *Ad Hoc* Working Group would continue to assist in the preparations for the negotiations. In May 1997, the WHA endorsed the recommendations of the IFCS and requested the World Health Organization participate actively in the negotiations.

**NEGOTIATION OF THE CONVENTION:** The first session of the Intergovernmental Negotiating Committee (INC-1) was held from 29 June to 3 July 1998, in Montreal, Canada. INC-1 requested the Secretariat to prepare a document containing material for possible inclusion in an international legally binding instrument. INC-2 was held from 25-29 January 1999, in Nairobi, Kenya, where participants discussed a Secretariat-prepared outline of a convention text. INC-3 met from 6-11 September 1999, in Geneva, Switzerland, with delegates considering the revised draft text. They adopted a procedure establishing a review committee to apply screening criteria and to prepare a risk profile and risk management evaluation for proposed substances as a basis for further negotiation. INC-4 met from 20-25 March 2000, in Bonn, Germany. Delegates drafted articles on technical assistance and on financial resources and mechanisms, addressed control measures, and made headway on language on unintentionally produced POPs. INC-5 met from 4-10 December 2000, in Johannesburg, South Africa, with delegates concluding negotiations on the Convention on Saturday, 10 December.

**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 addressing interim financial arrangements and issues related to the Basel Convention; resolutions forwarded by the Preparatory Meeting; and the Final Act.

**INC-6:** INC-6 met from 17-21 June 2002, in Geneva, Switzerland. Delegates adopted decisions on: DDT and the register of specific exemptions; the POPs Review Committee (POPRC); a clearing-house mechanism; technical assistance; financial resources and mechanisms and the interim financial mechanism; regional and subregional centers for capacity

building and technology transfer; effectiveness evaluation; and non-compliance. INC-6 also established an Expert Group on BAT and BEP.

**INC-7:** INC-7 was held from 14-18 July 2003, in Geneva, Switzerland. Delegates focused on addressing a number of "housekeeping" issues in preparation for the first COP. Decisions were adopted on, *inter alia*: offers to host the permanent Secretariat; technical assistance; national implementation plans; exempted use; party reporting; specific exemptions; DDT; interim financial arrangements; a standardized toolkit for the identification and quantification of dioxin and furan releases; measures to reduce or eliminate releases from stockpiles and wastes; effectiveness evaluation; the budget; and the financial mechanism.

**COP-1:** The first Conference of the Parties (COP-1) to the Stockholm Convention was held from 2-6 May 2005, in Punta del Este, Uruguay. To set the Convention's implementation in motion, delegates adopted a broad range of decisions related to: providing for the evaluation of the continued need for DDT use for disease vector control; establishing a review process for entries in the register of specific exemptions; adopting guidance for the financial mechanism; establishing a schedule for reporting; establishing arrangements for monitoring data on POPs; adopting rules of procedure and financial rules; adopting the budget for the Secretariat; and establishing the POPRC. Other matters scheduled for discussion included: the format for the DDT register and the register of specific exemptions; the process for developing guidelines to assist parties in preventing the formation and release of unintentionally produced POPs; and guidelines on BAT and BEP.

**COP-2:** COP-2 took place from 1-5 May 2006, in Geneva, Switzerland. COP-2 considered several reports on activities within the Convention's mandate, and adopted 18 decisions on, *inter alia*: DDT; exemptions; financial resources and mechanisms; information exchange; BAT and BEP; identification and quantification of releases; measures to reduce or eliminate releases from wastes; implementation plans; listing chemicals in Annexes A, B or C of the Convention; reporting; technical assistance; synergies; effectiveness evaluation; and non-compliance.

### COP-3 REPORT

On Monday morning, 30 April, the President of the second meeting of the Conference of the Parties (COP-2) to the Stockholm Convention on Persistent Organic Pollutants (POPs), Nik Kiddle (New Zealand), opened COP-3 and expressed appreciation to the Government of Senegal for hosting COP-3, and highlighted major developments relevant to the Convention since COP-2, including: the activities of the Persistent Organic Pollutants Review Committee (POPRC) in receiving and analyzing information to make recommendations to the COP on new controls for additional chemicals that were determined to pose significant risk of contamination of people and the environment; the work of the effectiveness evaluation group on the Global Monitoring Plan and its required infrastructure; efforts made at the national level by many parties in elaborating and submitting national implementation plans (NIPs); and progress

made on synergies among the chemicals conventions and on the Open-ended Working Group on Non-Compliance (OEWG NC). He concluded by thanking all parties for their work and for having elected him COP-2 President.

Bakary Kante, on behalf of Achim Steiner, Executive Director of the United Nations Environment Programme (UNEP), noted the challenges faced by the Convention, including the need to deal with issues related to food and health, and the use of DDT for combating malaria, especially in Africa. Highlighting the success of the Montreal Protocol, Kante urged parties to make further efforts on establishing the financial mechanism for the Convention. He stressed the importance of non-governmental organizations (NGOs), industry and other partners in implementing the Convention.

The President of Senegal, Abdoulaye Wade, welcomed participants and, recalling an incident of toxic waste dumping in Côte d'Ivoire, noted that there is no mechanism in place to guarantee that toxic waste will not enter the African Continent. He underscored the contradiction of using products to increase agricultural outputs and improve living conditions, while having adverse effects on the environment and human health. On DDT and agriculture, he reported on his country's experience in using organic alternatives to chemical fertilizers. President Wade underscored the need for parties, especially donor countries, the Global Environment Facility (GEF) and partners to commit and mobilize technical and financial resources to allow the action defined in the NIPs to be undertaken.

**ORGANIZATIONAL MATTERS:** Delegates elected Thierno Lô, Minister of the Environment of Senegal, as COP-3 President and Jan-Karel Kwisthout (Netherlands) as Rapporteur. Delegates later endorsed the nomination to the Bureau of Iran, India, Czech Republic, Moldova, Antigua and Barbuda, Uruguay, Norway, and the UK. The Secretariat noted that individual names would be presented at a later date.

Delegates adopted the agenda (UNEP/POPS/COP.3/1), without amendments.

On the COP rules of procedure (UNEP/POPS/COP.3/3), in light of some parties' objections, plenary agreed to keep in bracketed text a provision for COP decisions to be taken, as a last resort, by a two-thirds majority vote of the parties. The issue was deferred to COP-4.

On Friday in plenary, the Secretariat reported that 95 parties have submitted credentials, of which 89 met the requirements and are in order. Two parties have submitted credentials, but without signature of the Minister of Foreign Affairs, and four countries have not submitted their credentials. These six countries participated in the meeting as observers.

The plenary established the Committee of the Whole (COW), elected Karel Blaha (Czech Republic) as COW Chair, and also established a budget group, chaired by John Roberts (UK).

The COW convened throughout the week and established contact groups on technical assistance, non-compliance and effectiveness evaluation. On Thursday, informal consultations were held on POPs wastes and non-compliance, the latter issue was also taken up by a Friends of the Chair group. The following summary is organized according to the order of the items on the agenda.

### **MEASURES TO REDUCE OR ELIMINATE RELEASES FROM INTENTIONAL PRODUCTION AND USE**

**DDT:** On Tuesday morning in the COW, delegates discussed the: continued need for DDT for disease vector control (UNEP/POPS/COP.3/4); report of the expert group on the assessment of the production and use of DDT (UNEP/POPS/COP.3/24); and draft revised DDT questionnaire (UNEP/POPS/COP.3/INF.2). On Thursday and Friday afternoon, the Secretariat presented a draft decision on DDT (UNEP/POPS/COP.3/CRP.7), which was considered, revised and adopted by plenary on Friday afternoon.

Delegates addressed the need for: cost effective alternatives to DDT; financial and technical assistance for integrated vector management (IVM) in developing countries; and capacity building for minimizing risks associated with DDT use, reporting DDT use and production, and addressing illegal trade in DDT. Germany, on behalf of the European Union (EU), proposed additional language requesting collaboration with the World Health Organization (WHO) on various activities. India proposed several changes, including the need to give further importance to countries in malaria regions when nominating experts for the DDT expert group.

**Final Decision:** In the final decision on DDT (UNEP/POPS/COP.3/CRP.7/Rev.1), the COP, *inter alia*:

- concludes that countries currently using DDT may need to continue to do so until locally appropriate and cost-effective alternatives are available;
- adopts the revised process for DDT reporting, assessment, evaluation, and the revised DDT questionnaire;
- reminds parties currently using and/or producing DDT to report on such use if they have not already done so;
- requests the Secretariat to collaborate with the WHO in data collection, data analysis, and assessment of continued need to use DDT;
- emphasizes the need to address the DDT issue in NIPs;
- requests the Secretariat collaborate with WHO on strengthening the capacity of countries to report on production and use and report to COP-4 on the status of IVM implementation;
- requests the Secretariat, in collaboration with WHO and other interested parties, develop a business plan for promoting a global partnership on the development and deployment of alternative products, methods and strategies for DDT for disease vector control; and
- invites governments, NGOs, industry and intergovernmental organizations to participate in the development of the business plan and encourages the GEF and other donors to provide funding for its development.

There are two annexes to this decision. Annex I includes a process for reporting, assessment, and evaluation of the continued need for DDT for disease vector control and Annex II contains the revised questionnaire for reporting on production and use of DDT for disease vector control.

**EXEMPTIONS:** Discussions on the review process for entries in the register for specific exemptions took place on Tuesday in the COW (UNEP/POPS/COP.3/5). On Friday, the

Secretariat presented a draft decision which was accepted by the COW with amendments, and adopted by plenary with amendments.

Discussion focused on the bracketed text in the review process adopted by COP-1 (Annex I to UNEP/POPS/COP.3/5). Parties discussed whether to establish a separate subsidiary body to assess and make recommendations to the COP on extension requests for use of Annex A (Elimination) chemicals, or whether the COP should do this itself. The EU proposed that extensions only be granted in well-justified cases and that the Secretariat review extension request reports. Japan and Canada questioned the appropriateness of tasking the Secretariat with developing a recommendation on extension of exemptions, and proposed giving the task to the POPRC instead. Canada proposed requesting the Secretariat prepare a report instead of making a recommendation, and that the provision will “sunset” at the end of COP-4 unless the COP reviews and extends it.

**Final Decision:** In the final decision on a revised process for the review of entries in the register of specific exemptions (UNEP/POPS/COP.3/CRP.5/Rev.1), the COP: adopts the revised process for the review of entries contained in the annex to the decision and agreed to review paragraph 4 of the process at COP-4; requests the Secretariat undertake the review process regarding the exemptions that are due at COP-4; and reminds the parties seeking extensions to existing exemptions in the register to provide justification and the information requested in the review process at least twelve months prior to COP-4.

#### **EVALUATION OF THE CONTINUED NEED FOR THE PROCEDURE UNDER PARAGRAPH 2(B) OF ARTICLE 3:**

Discussions on the need for the procedure under paragraph 2(b) of Article 3 of the Convention were held in the COW on Tuesday (UNEP/POPS/COP.3/6). The Secretariat noted that there is very little data and information in this area.

The Secretariat explained that paragraph 2(b) of Article 3 of the Convention specifies that an exporting party must provide annual certification on chemical characteristics and other related information and both the exporting and importing parties must comply with the Convention requirements. COW Chair Blaha requested the Secretariat prepare a draft decision on the issue. The COW agreed on the draft decision and it was adopted in plenary on Friday.

**Final Decision:** In the final decision on the continued need for the procedure under paragraph 2(b) of Article 3 (UNEP/POPS/COP.3/CRP.6), the COP: concludes that the information gathered to date on the experience of using the procedure is insufficient to complete an evaluation of the continued need for the procedure; requests the Secretariat to provide a report based on relevant party submissions for consideration at COP-4; and decides to evaluate the procedure further at COP-4.

#### **MEASURES TO REDUCE OR ELIMINATE RELEASES FROM UNINTENTIONAL PRODUCTION**

**BEST AVAILABLE TECHNIQUES AND BEST ENVIRONMENTAL PRACTICES:** The Secretariat introduced documents UNEP/POPS/COP.3/7, INF/4 and UNEP/POPS/EGBATBEP.2/4 on best available techniques (BAT) and best environmental practices (BEP) on Tuesday. On Thursday, the

draft decision UNEP/POPS/COP.3/CRP.10 was slightly amended and agreed upon by the COW. On Friday, plenary adopted the decision as revised by the COW. Many parties supported the adoption of the draft guidelines on BAT and provisional guidance on BEP, and provided written submissions for incorporation. The EU suggested deleting text referring to the GEF, preferring that all GEF-related items be compiled in a single decision, while Morocco, supported by China, emphasized the importance of referring to the GEF.

**Final Decision:** In the decision on guidelines on BAT and draft guidance on BEP (UNEP/POPS/COP.3/CRP.10/Rev.1), the COP, *inter alia*:

- welcomes the report of the Expert Group on BAT and BEP on the work of its second meeting;
- adopts the revised draft guidelines on BAT and provisional guidance on BEP contained in UNEP/POPS/COP.3/INF/4;
- invites comments on experience in implementing the draft guidelines on BAT and provisional guidance on BEP;
- requests the Secretariat, within available resources, to compile and collect information on experience gained in using guidelines and guidance by 31 December 2008; and
- encourages parties and observers to exchange information on their experiences in implementing the guidelines and guidance by electronic means.

**IDENTIFICATION AND QUANTIFICATION OF DIOXIN AND FURAN RELEASES:** On Tuesday and Thursday in the COW, delegates discussed UNEP/POPS/COP.3/8, INF/6 and INF/24 on the standardized toolkit for the identification and quantification of dioxin and furan releases. Plenary adopted a decision on the issue on Friday. Zambia and Jordan stressed the need to simplify technical language. Recognizing the importance of the toolkit on dioxin and furan releases, Benin, on behalf of the African Group, noted that improvements and assistance are still needed. China and Senegal underlined the insufficiency of data on emission factors. Subject to available resources, the EU supported updating the toolkit, but Japan said that funding for toolkit improvement is not as high a priority as BAT and BEP and preferred cost-effective ways of improvement. Kenya urged that the issue of “open burning” of waste be prioritized and that a country be identified to carry out a pilot project. The US noted the trade-off between funding availability and the amount of data collected, and suggested having only one meeting of the expert group that will update the toolkit before COP-4. The COW agreed to the draft decision on guidelines on the standardized toolkit for identification and quantification of releases (UNEP/POPS/COP.3/CRP.9) and plenary adopted it with minor amendments.

**Final Decision:** In the decision on the identification and quantification of releases (UNEP/POPS/COP.3/CRP.9/Rev.1), the COP, *inter alia*: adopts the process for the ongoing review and updating of the toolkit; requests the Secretariat to place adequate emphasis on the key sources for which limited monitoring data is available; and invites parties and other stakeholders to generate relevant data and information on Annex C chemicals, as identified in the toolkit review and updating process.

## MEASURES TO REDUCE OR ELIMINATE RELEASES FROM WASTES

Measures to reduce or eliminate releases from wastes (UNEP/POPS/COP.3/9) were discussed in the COW and in an informal group on Thursday. The COW agreed on the draft decision (UNEP/POPS/COP.3/CRP.8), which was adopted in plenary on Friday.

The discussions concentrated on whether parties should, in implementing the waste-related provisions, and as suggested by the Secretariat, make use of the updated technical guidelines for the environmentally sound management of wastes consisting of, containing, or contaminated with POPs adopted by COP-8 of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal. The EU and Switzerland, supported by Japan and Togo, submitted a draft decision, which set up a separate set of guidelines on the levels of destruction and irreversible transformation of POPs (UNEP/POPS/COP.3/CRP.8). Canada, China and India favored the Secretariat's draft. The International POPs Elimination Network (IPEN) and the International Trade Union Confederation expressed concern over the chemical concentrations set in both drafts, stressing they pose health risks. The Secretariat prepared a draft decision based on a compromised text proposed by Norway.

**Final Decision:** In the final decision (UNEP/POPS/COP.3/CRP.28), the COP:

- takes note of the above-mentioned Basel Convention updated technical guidelines, including established provisional definitions for low POPs content;
- establishes a provisional definition for levels of destruction and irreversible transformation;
- determines methods that are considered to constitute environmentally sound disposal;
- reminds parties to take into account the above-mentioned technical guidelines when implementing their obligations;
- encourages the introduction and demonstration of cost-effective methods, selected from updated technical guidelines, in developing countries and countries with economies in transition;
- welcomes the continued work of the appropriate bodies of the Basel Convention related to reviewing and updating the technical guidelines regarding POPs;
- encourages parties to the Stockholm Convention to ensure the participation of experts in the ongoing work under the Basel Convention; and
- welcomes the cooperation between the Secretariats of the Stockholm and Basel Conventions, and requests the Secretariat, in cooperation with the Basel Convention Secretariat, undertake, within available resources, training and other capacity-building activities, to assist developing countries and countries with economies in transition in implementing this decision.

## IMPLEMENTATION PLANS

This item (UNEP/POPS/COP.3/10, 11, 29 and INF/8) was addressed on Wednesday and Thursday in the COW. A draft decision (UNEP/POPS/COP.3/CRP.17) was considered in the COW on Thursday and adopted in plenary without amendment on Friday.

Argentina, Togo, Benin, Turkey and Tajikistan reported completion and submission of their countries' NIPs, and Uganda noted that his country has not yet completed the NIP due to lack of experience and capacity. Some countries reported their activities to implement the Convention, including: testing POPs concentrations in the core media, organizing training programmes, conducting inventories, and developing regulations. Many developing countries stressed the need for financial and technical assistance and capacity building for the development and implementation of NIPs. Some developing countries requested a faster and simpler financial procedure for NIPs. China, supported by Norway, proposed that the Secretariat invite experts from developing countries, countries with economies in transition and international organizations to participate in drafting additional guidance for NIPs.

The EU encouraged parties to clearly identify national priorities in order to explore synergies with other international chemical regimes such as the Strategic Approach to International Chemicals Management (SAICM), and supported using the draft guidance on socioeconomic assessment for implementing NIPs in a flexible manner. Uruguay, for the Latin American and the Caribbean Group (GRULAC), noted that GRULAC countries are not able to fulfill the reporting requirement within the timeframe set forth in UNEP/POPS/COP.3/21 because it was not available early enough to do so, and requested it be translated into United Nations languages. The Secretariat of the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade highlighted the importance of synergies among the chemicals-related conventions in elaborating NIPs, and emphasized that revision of the NIP guidance document should take into account the linkages of the three conventions. The US supported developing the guidance document on socioeconomic cost assessment, but encouraged peer-reviewed cost-benefit models.

**Final Decision:** In the final decision (UNEP/POPS/COP.3/CRP.17), the COP, *inter alia*:

- requests the entity or entities entrusted with the operation of the financial mechanism of the Convention, including the GEF, when implementing the guidance to the financial mechanism to take into account the priorities identified by the parties and thus reflected in their respective plans and strategies;
- invites parties to provide to the Secretariat an indication of their main priorities in implementing their NIPs for the period 2007-2015;
- requests the Secretariat to prepare a report on the priorities identified by parties in implementing their NIPs, identifying possible areas of technical assistance needs;

- requests the Secretariat to further develop guidance on social and economic assessment for the development and implementation of NIPs, resources permitting, and encourage parties to use, as appropriate, such guidance; and
- invites parties and others in a position to do so to provide the additional funding required for developing additional guidance.

### LISTING CHEMICALS IN ANNEXES A, B OR C OF THE CONVENTION

Discussion on listing chemicals in Annexes A, B or C of the Convention took place in the COW on Wednesday (UNEP/POPS/COP.3/12, INF/20 and POPRC.2/17 and POPRC.2/17/Add.1-Add.5). On Friday, the COW agreed on a draft decision with amendments, which was adopted by plenary.

POPRC-2 Chair Reiner Arndt (Germany) summarized the work of the POPs Review Committee and encouraged parties to submit comments on the draft risk profiles. Some interventions focused on issues related to confidentiality and the review process, while Japan and China expressed concerns about the POPRC technical review process, including elements relating to precursors, bioaccumulation and commercial products. India stressed that production data should not be confidential and said the POPRC should consider proposed chemicals specifically, and not all isomers. The African Group stressed the need to strengthen developing country participation in the POPRC.

POPRC-2 Chair Arndt, in response to Japan, proposed including application of bioaccumulation criteria on the POPRC-3 agenda. He noted perfluorooctane sulfonate (PFOS) and commercial mixtures would be addressed at POPRC-3 and reminded the COP to solve the confidentiality issue, noting that thus far, in dealing with eight chemicals, there had been no problems. COW Chair Blaha said that India's concern about confidentiality would be noted in the meeting report.

**Final Decision:** In the final decision on listing chemicals in annex A, B or C of the Convention (UNEP/POPS/COP.3/CRP.14/Rev.1) the COP, *inter alia*:

- welcomes the report of POPRC-2;
- adopts the code of practice for the treatment of confidential information as outlined in UNEP/POPS/POPRC.2/2, which includes information on principles, definitions, scope, identification and procedures for such information;
- endorses the recommended approach for considering isomers;
- takes note of the work plan for the preparation of a draft risk profile and risk evaluation; and
- requests the Secretariat to undertake activities to assist developing countries and those with economies in transition.

### INFORMATION EXCHANGE

On Tuesday, the Secretariat introduced documents on information exchange and the clearing-house mechanism (UNEP/POPS/COP.3/13, INF/9 and INF/10). Discussions were held on Tuesday and Thursday in the COW. A final decision on information exchange was adopted in plenary on Friday.

The EU recommended extending the pilot phase of the clearing-house mechanism and deferring a decision on the strategic plan until COP-4. India disagreed and suggested the clearing-house mechanism be considered an enabling activity. On

Thursday, the EU cautioned against establishing a clearing-house mechanism on POPs and taking a decision that may jeopardize the effectiveness of the work of the *Ad Hoc* Joint Working Group on Enhancing Cooperation and Coordination (AHJWG), but supported a decision taking into account AHJWG work.

**Final Decision:** In the final decision on information exchange (UNEP/POPS/COP.3/CRP.20), the COP, *inter alia*:

- takes note of the progress made in implementing the pilot phase of the clearing-house mechanism and of the draft strategic plan for establishing procedures;
- requests the Secretariat take full account of the AHJWG work in further developing the clearing-house mechanism; and
- approves the activities of the first phase of the implementation of the clearing-house mechanism.

### TECHNICAL ASSISTANCE

On Monday in the COW, the Secretariat introduced documents on: guidance for technical assistance (UNEP/POPS/COP.3/14); draft terms of reference (ToRs) for selecting regional and subregional centers for capacity building and transfer of technology (UNEP/POPS/COP.3/15 and INF/5); and compilation of submissions on technical assistance and transfer of technology to assist developing countries in implementing their implementation plans and other obligations under the Convention (UNEP/POPS/COP.3/INF/11). The COW established a contact group on technical assistance, co-chaired by Jozef Buys (Belgium) and Angelina Madete (Tanzania), which met throughout the week.

Delegates focused on the selection of regional centers and on Decision SC-1/15 (technical assistance). GRULAC questioned the project-based selection of regional centers. He said the ToRs failed to incorporate previous recommendations and that the priority areas designated were not reflective of GRULAC's needs. China, supported by Iran, Benin, Trinidad and Tobago, the African Group, Uruguay, Jordan and the US, suggested making use of the existing Basel Convention Regional and Coordinating Centres (BCRCCs) as regional centers for the Stockholm Convention to avoid duplication, and improve efficiency, cooperation and coordination between the two Conventions. Uruguay introduced UNEP/POPS/COP.3/CRP.2 prepared by countries currently hosting BCRCCs and stressed that compliance rests on adequate technical assistance and effective regional centers. Supporting the use of existing BCRCCs, Germany, for the EU, said regional and subregional centers should be existing centers or institutions and that selection should be based on method and purpose.

Morocco stressed the need for a clear and tangible system for technical assistance. Jordan emphasized that technical assistance forms the backbone of the Convention. India and Venezuela lamented lack of support from developed to developing countries in technical assistance and technology transfer, and urged for more to be provided. IPEN suggested that observers be encouraged to submit case studies to support the Convention's work.



China urged COP-3 to propose to the GEF that it allocate adequate resources and requested the Secretariat review the status of technical assistance and funding and report to COP-4. India proposed that the GEF consider developing a fast-track mechanism for funding the Convention's implementation.

Discussions focused on regional centers and participants negotiated extensively on two contentious issues, namely: hosting regional and subregional centers, in which China proposed language stipulating only developing countries and countries with economies in transition could host such centers, with which the EU and Japan disagreed; and inclusion of a criterion for candidate Stockholm centers to submit a programme of work or project proposal.

**Final Decisions:** In the final decision on terms of reference for the process of selecting regional and subregional centers under the Stockholm Convention (UNEP/POPS/COP.3/CRP.32), the COP, *inter alia*:

- invites regions to nominate institutions, including BCRCCs, to serve as Stockholm Convention regional and subregional centers;
- underlines the importance of cooperation and coordination between Conventions in the chemical and waste cluster and requests the bureau submit these nominations;
- affirms regional centers should be capable of meeting the technical assistance and technology transfer needs and priorities identified in the annex to Decision SC-1/15 and fulfilling the ToRs for such centers set out in Annex I of Decision SC-2/9 (technical assistance);
- decides that regional nominated centers will be formally recognized as "National Stockholm Convention Centers" until the COP, at its next meeting decided whether to confirm their endorsement, and requests these centers to submit a report which explains the status and components set forth in SC-2/9, in a format to be provided by the Secretariat; and
- requests the Secretariat to prepare a report on the activities of the nominated centers to COP-4.

In the final decision on technical assistance (UNEP/POPS/COP.3/CRP.23), the COP, *inter alia*:

- invites parties, international organizations and NGOs to provide information to the Secretariat on their experiences in the implementation of the guidance on technical assistance and transfer of technology adopted by the COP; and
- requests the Secretariat to submit, to each COP, a report based on the information provided on the above to facilitate periodic reviews of the implementation of the guidance on technical assistance and transfer of technology by the COP.

### FINANCIAL RESOURCES

Delegates discussed financial resources (UNEP/POPS/COP.3/16, 17, 18, 19 and 20.Rev.1) on Wednesday morning in the COW and agreed to task the technical assistance contact group to address draft reports on the implementation of the MoU, the ToRs for the second review of the financial mechanism, and the assessment of funding needs. On Friday in plenary, delegates adopted five draft decisions on the issue, with minor amendments.

In the technical assistance contact group, delegates considered the GEF report, mobilization of resources, ToRs for the second review of the financial mechanism, needs assessment and its ToRs. The GEF Secretariat outlined the GEF report on the effectiveness of implementation of the MoU between the Stockholm Convention and the GEF (UNEP/POPS/COP.3/INF/3), underscoring that the GEF fourth replenishment allocated US\$300 million to the POPs focal area for the 2006-2010 period.

Switzerland said more resources are necessary for implementing chemical conventions, especially the Stockholm Convention and SAICM, and suggested regular review of developing country needs. The EU underscored that the GEF should continue to be the financial mechanism of the Convention, and encouraged parties to link their POPs policy to their national environmental plans and achieving the Millennium Development Goals. The African Group supported mobilization of funds to implement Convention objectives and reduce poverty. Canada noted that parties should consider all sources of funding, including NGOs and the private sector. China, supported by Namibia, stressed the importance of streamlining the GEF project cycle to ensure funds can be accessed by developing countries in a timely manner.

The United Nations University offered to share its experience in private sector partnerships. IPEN noted funding concerns for implementing the Convention and the need to engage parties in the intersessional period to prepare for the fifth GEF replenishment.

**Final Decisions:** In the final decision on the second review of the financial mechanism (UNEP/POPS/COP.3/CRP.25), the COP, *inter alia*:

- adopts the ToRs for the second review of the financial mechanism set out in the annex to the decision, which includes performance criteria on the responsiveness of the GEF to guidance from the COP and on transparency and timelines of the project approval process, procedures for accessing funds, adequacy and sustainability of resources, country ownership of activities funded by the financial mechanism and level of stakeholder involvement; and
- requests the Secretariat to compile information relevant to the second review of the financial mechanism and submit it for consideration at COP-4.

In the final decision on needs assessment (UNEP/POPS/COP.3/CRP.27), the COP, *inter alia*:

- welcomes the preliminary assessment of funding needs for parties that are developing countries or countries with economies in transition to implement the Convention over the period 2006-2010;
- adopts the revised ToRs for work on assessment of funding needs for parties that are developing countries and countries with economies in transition to implement the Convention over the period 2010-2014; and
- invites parties and others to provide the relevant information required to undertake the assessment of funding needs.

In the final decision on additional guidance to the financial mechanism (UNEP/POPS/COP.3/CRP.31), the COP, *inter alia*:

- welcomes the successful fourth replenishment of the GEF, increased funding for POPs, and the shift in emphasis from support of NIPs to the implementation of those plans; and
- requests the GEF to continue to streamline its project cycle and the co-financing analysis of the GEF to the COP, and urges the GEF to consider different characteristics of projects when making co-financing requirements and ongoing GEF reforms;
- invites governments, NGOs, industry and intergovernmental organizations to participate in the development of a business plan for promoting a global partnership on the development and deployment of alternative products to DDT for disease vector control;
- urges the GEF to incorporate BAT and BEP and demonstration as one of its priorities for financial support;
- invites the GEF to incorporate activities related to the global monitoring plan and capacity building in developing countries and countries with economies in transition as priorities for providing financial support;
- supports access to the GEF for Stockholm Convention regional center projects; and
- requests the GEF give special consideration to activities identified as priorities in NIPs, which promote sound chemical management and enhance synergies between implementation of different multilateral environmental agreements, and to support the capacity of developing countries and countries with economies in transition to estimate the costs and funding needs of activities in the NIPs.

In the decision on implementation of the MoU between the GEF and the Stockholm Convention (UNEP/POPS/COP.3/CRP.21), the COP: welcomes the GEF report and takes note of its information; and requests the Secretariat, in consultation with the GEF, to prepare a report on the effectiveness of MOU implementation to be considered at COP-4.

In the decision on resource mobilization (UNEP/POPS/COP.3/CRP.22), the COP, *inter alia*: invites developing countries and other stakeholders to provide information to the Secretariat on ways that they can support the Convention; and requests the Secretariat to further report on possible sources of funding and to submit the information to COP-4.

## REPORTING

On Wednesday, the Secretariat introduced UNEP/POPS/COP.3/21 on reporting. On Thursday, COW Chair Blaha presented UNEP/POPS/COP.3/CRP.15 which was adopted by plenary on Friday.

Discussions revolved around the need to improve the reporting system and make it more user-friendly. Cambodia and many others noted their difficulty in using it and asked for training. Several delegates also called for its translation into UN languages while others drew attention to new focal point nominations.

**Final Decision:** In the decision on reporting (UNEP/POPS/COP.3/CRP.15/Rev.1), the COP, *inter alia*:

- invites parties that have not yet done so to submit their national reports no later than 31 July 2007 and comment on the system by 31 December 2007;

- encourages parties to use the electronic system for reporting; and
- requests the Secretariat prepare a report to be used in the effectiveness evaluation under Article 16 of the Convention, develop and distribute a user manual, provide training upon request and subject to the availability of funds, make non-substantive modifications to the reporting forms, and develop (funding permitting) an enhanced version of the electronic systems, taking into account noted modifications.

## EFFECTIVENESS EVALUATION

Effectiveness evaluation (UNEP/POPS/COP.3/22) was discussed throughout the week in the COW and in a contact group co-chaired by Ivan Holoubek (Czech Republic) and Thérèse Yarde (Barbados). On Thursday, the COW submitted the amended draft to plenary, which subsequently adopted the decision.

Co-Chair of the *Ad Hoc* Technical Working Group on the Global Monitoring Plan (TWG) Ivan Holoubek presented the group's work over the intersessional period, underscoring key issues, such as: the drafting of work plans and schedules; responses to capacity needs questionnaires; financial implications; and the interpretation and assessment of data pertaining to human health. Many countries complimented the work of the TWG, and emphasized the importance of evaluating effectiveness in the implementation of the Global Monitoring Plan (GMP), and the need for capacity building, technical and financial assistance for developing countries and countries with economies in transition. Regarding the regional groupings, many countries supported use of the existing five UN regions rather than the six regions suggested by the TWG in its report. New Zealand noted the importance of cooperation with the Antarctic Treaty Consultative Meeting in implementing the GMP.

Regarding a global oversight body as proposed by the TWG, countries agreed to establish a coordination group. There were differences of opinions on the group's tasks and size. Developing countries suggested tasking it with coordinating GMP implementation, while developed country parties held that it is to assess regional work to ensure consistency between regions, promote experience sharing, and facilitate the preparation of the global monitoring report. Regarding the size of the body, GRULAC, the Asian Group and African Group insisted on a total of 19 members with at least three representatives per region, taking into account the importance of this group, and diversity of their regions. The developed country parties disagreed, saying that the major work of evaluating effectiveness of the GMP should be done at the regional level through regional organization groups, and taking into consideration financial constraints, it should be a small and effective body with one representative from each region.

A draft decision was discussed in the COW as well as in an informal group on Friday. Delegates reached an agreement on the two issues: the task of the coordination group in coordinating the GMP implementation was removed from the draft; and the coordination group will consist of three representatives from

each of the five UN regions with the understanding that it will meet only with COP meetings, and will conduct its business through electronic communications.

**Final Decision:** In the final decision (UNEP/POPS/COP.3/CRP.16), the COP, *inter alia*:

- adopts, on a provisional basis, the amended GMP for POPs and its amended implementation plan;
- establishes regional organization groups, specifying their mandate and ToRs in the annex to the decision;
- invites parties to nominate members to those groups with expertise in monitoring and data evaluation and decides that the members of the groups shall include members of the coordination group plus up to three additional members, as well as invited experts in relevant fields as necessary;
- establishes a coordination group, whose mandate and ToRs are specified in the annex to the decision, and invites regional organization groups to nominate members;
- agrees that the amended preliminary version of the guidance on the GMP for POPs provides an appropriate basis for the parties to implement the GMP, and requests the Secretariat to arrange for updating the guidance; and
- invites the Secretariat to bring the work undertaken in accordance with the present decision to the attention of the Antarctic Treaty Consultative Meeting, and to request its assistance in the provision of relevant information.

#### **NON-COMPLIANCE**

On Monday in the COW, OEWG NC Chair Anne Daniel (Canada) reported on the outcomes of its work prior to the COP (UNEP/POPS/OEWG-NC.2/2). The COW established a contact group on the issue, chaired by Anne Daniel. The group met on Monday, Tuesday and Wednesday. Bilateral meetings and a Friends of the Chair group met on Thursday to craft a compromise decision, which was presented to plenary and adopted on Friday.

Discussions centered on procedures for submissions, mainly on facilitation by a committee on non-compliance and possible action by the COP. Delegates debated how to invoke procedures (triggers); measures to take in response to compliance difficulties; the need for technical and financial assistance and the committee's composition. The text was eventually remodeled into a clear sequence of actions and inserted into a compromise package, backed by the EU, Switzerland, Australia and others for consideration. India and China, backed by Iran, opposed the package. After regional consultations, the African Group was open to accept the package.

After further consultations at a Friends of the Chair's meeting, Contact Group Chair Daniel reported to the COW that the group was unable to reach agreement on a draft decision on non-compliance. She introduced UNEP/POPS/COP.3/CRP.26/Rev.1 which includes the Chair's proposal, noting the group had managed to reduce about 25% of the original brackets. Underscoring that disagreement remained on the principles and the size of the Committee, she noted the various options to be discussed at COP-4 on identifying who would be able to make submissions to the committee regarding non-compliant parties, including a party-to-party trigger and/or a Secretariat trigger.

Chair Daniel urged parties to come prepared to COP-4. Iran asked for a text change and for the option to re-open clean text at COP-4. Japan underscored the importance of the issues at hand, noting that he and others had compromised and urged for the draft to be used for future negotiations.

**Final Decision:** In the decision on non-compliance (UNEP/POPS/COP.3/CRP.26/Rev.1), the COP, *inter alia*:

- decides to negotiate further and to consider for adoption at its fourth meeting the procedures and institutional mechanisms on non-compliance required under Article 17 of the Convention; and
- decides also that the draft text contained in the annex to the decision, bearing in mind the proposal of the Chair of the contact group contained in the appendix to the draft text, shall be the basis for its further work on the procedures and institutional mechanisms at its fourth meeting.

#### **SYNERGIES**

The COW discussed synergies on Thursday morning (UNEP/POPS/COP.3/28, INF/13, INF/19 and INF/19/Add.1). On Friday morning the COW agreed to the draft decision on synergies, which was adopted by plenary on Friday afternoon.

Discussions focused on the first meeting of the AHJWG, which took place in Helsinki, Finland, on 26-28 March 2007 (UNEP/FAO/CHW/RC/POPS/JWG.1/4). AHJWG Co-Chair Kerstin Stendahl-Rechardt (Finland) summarized their work and many parties, including the EU, India, Switzerland, the African Group, Sudan, GRULAC, Finland, Japan and Jordan, stressed the importance of synergies for the Convention. Some countries, including Norway, the African Group, Kiribati, and GRULAC, further supported using Basel regional centers as Stockholm regional centers to promote practical synergies at the regional level. The US supported cost-saving synergies as opposed to substantive and institutional consolidation synergies, and IPEN highlighted the closed nature of AHJWG and the need for stakeholder involvement in future meetings.

**Final Decision:** In the final decision on synergies (UNEP/POPS/COP.3/CRP.18), the COP: takes note of the supplementary report on cooperation and coordination among the Basel, Rotterdam and Stockholm Conventions; welcomes the establishment of the AHJWG; and notes that the AHJWG will make joint recommendations to the COPs of the Basel, Rotterdam and Stockholm Conventions.

#### **ACTIVITIES OF THE SECRETARIAT AND ADOPTION OF THE BUDGET**

On Monday morning in plenary, delegates addressed the budget, and established a contact group to further discuss the issues. On Monday afternoon in the COW, the Secretariat presented documents UNEP/POPS/COP.3/27 on the Secretariat's activities and INF/16, INF/17, INF/18 and INF/25 on budget issues, and deferred discussions to the budget contact group, chaired by John Roberts (UK). The group met throughout the week to discuss the elements of the 2008-2009 budget. On Friday evening, plenary adopted the budget decision with amendments.

Delegates addressed the 2006-2007 budget expenditure, Special Trust Fund and General Trust Fund contributions for 2007, and proposed operational budget for 2008-2009. One participant stressed the importance of a zero nominal growth budget, while others questioned: the use of savings and surplus; parties in arrears; and expenditures on consultants, subcontractors and permanent staff. Delegates also discussed: the proposed 2008-2009 UN scale of assessments for the apportionment of contributions to the General Trust Fund; the projected expenditure for 2007; outstanding contributions; and the elements of a draft decision on financing and the 2008-2009 budget. The contact group draft decision UNEP/POPS/COP.3/CRP.24 and its tables in UNEP/POPS/COP.3/CRP.24/Add.1 were discussed in plenary. Budget Chair John Roberts said the group struck a balance between making effective and fast progress in carrying out the Convention and budgetary constraints. He noted that provisions were made for non-compliance meetings in 2008 and 2009, which will not occur.

**Final Decision:** In the final decision on the funding and 2008-2009 budget (UNEP/POPS/COP.3/CRP.24), the COP, *inter alia*:

- approves the operational budget of US\$5,424,542 for 2008 and US\$5,446,792 for 2009;
- decides to keep the working capital reserve at 8.3% of the annual operational budget; and
- welcomes the work done by the Secretariat on updating the list of received assessed contributions on the Convention's website.

#### OTHER MATTERS

**STATUS OF RATIFICATION:** On Monday afternoon, the Secretariat informed plenary that there are currently 143 states and one regional economic integration organization that have ratified, accepted, approved or acceded to the Convention (UNEP/POPS/COP.3/INF/22). Plenary took note of the information.

**OFFICIAL AND NATIONAL FOCAL POINTS:** On Friday afternoon in plenary, the Secretariat noted UNEP/POPS/COP.3/25, underlined the importance of having official focal points for communication between parties and the Secretariat, and asked parties to review and update the list of official contact points and national focal points (UNEP/POPS/COP.3/INF/26). Plenary took note of the information.

#### CLOSING PLENARY

The report of the meeting (UNEP/POPS/COP.3/L.1 and L.1/Add.1) was adopted with minor amendments. COP-3 President Lô announced that COP-4 will take place from 4-8 May 2009, in Geneva, Switzerland, and thanked all participants and the Secretariat for their efforts. Regional groups thanked the Government of Senegal for its hospitality and the meeting was gavelled to a close at 8:55 pm.

### A BRIEF ANALYSIS OF COP-3

The Stockholm Convention entered into force nearly three years ago. While COP-1 set the Convention in motion and COP-2 developed the nuts and bolts of implementation, COP-3 represented the last annual COP, after which, the Stockholm

Convention parties will convene only every two years. At COP-3 parties faced perhaps their most challenging task yet: they had to set the Convention rolling with sufficient direction and resources to implement its provisions until COP-4 in 2009.

To achieve this, participants knew at the outset of COP-3 that progress in three priority areas was crucial, namely: technical assistance, to adequately enable developing countries; a non-compliance mechanism, to provide incentive for compliance with Convention obligations; and a method to evaluate the effectiveness of implementation. While these were dealt with in separate contact groups throughout the week, the interconnection between them was widely acknowledged, and decisions by each group were clearly contingent on the other groups' progress. By the time COP-3 was gavelled to a close, much progress had been made on effectiveness evaluation and technical assistance, but non-compliance could not be resolved and will be considered again at COP-4.

The following analysis looks at COP-3's priorities in greater detail and discusses how the decisions taken in Senegal will affect the intersessional period until the next COP.

#### EFFECTIVENESS EVALUATION

Effectiveness evaluation of the Convention is to be undertaken by a group of experts reviewing, at least initially, current data on POPs concentrations. In particular, delegates extensively debated the terms of reference of the coordination group of a global oversight body. Developing countries felt strongly about the composition and size of this coordination group, fearing their voice would not be heard if the group was too small.

On the other hand, many developed nations were concerned about the budgetary implications of a larger group. In the end, participation and funding issues were balanced out and COP-3 decided that the coordination group will consist of three representatives from each of the five UN regions. This solution was satisfactory to both sides since they will meet back-to-back with COP meetings, and will conduct ongoing business via electronic means.

This is significant because now there is a mechanism in place to evaluate the effectiveness of the Convention's implementation through the Global Monitoring Programme (GMP). However, the mechanism does not clearly specify how the coordination group will function through electronic means during its two-year intersessional period, and hence there is a risk that the group's objectives may not be met.

#### TECHNICAL ASSISTANCE

As many delegates made clear, financing for implementation is a perennial issue across multilateral environment agreements. COP-2's financial deliberations were informed by unease over the nature of the fourth replenishment of the Global Environment Facility (GEF) and the uncertainty about the nature of the new resource allocation framework (RAF), which the POPs regime managed to temporarily escape.

Meanwhile, at COP-3 the financial focus was on providing guidance to GEF on the COP's priorities. Many delegates complained that the funding from GEF allocated in the current replenishment period to the POPs focal area is far from being adequate for successful implementation of the Convention, and

that it takes at least two years to mobilize funding through the current GEF cycle. They called for more funding and suggested a fast track funding arrangement be set up so as to begin implementation before COP-4.

Stockholm Convention regional centers have been identified as a potential effective means of implementing the Convention through regional level projects, such as for POPs disposal or for building capacity on alternatives for DDT. Discussions also focused on how to select these centers.

As such technical assistance remains alive, with renewed focus on regional centers, but perhaps undernourished, due to delays in funding. As a few delegates projected, in 2009 with the fifth replenishment of the GEF, COP-4 may face the same uncertainties as at COP-2 regarding funding. If, as anticipated, this results in POPs being included in the RAF, then parties will be constrained by more rules in accessing GEF funds, which could slow implementation even further.

### **NON-COMPLIANCE**

The procedures and institutional mechanisms for determining non-compliance with the provisions of the Convention and for the treatment of parties found to be in non-compliance were a major challenge for the delegates at COP-3. Notwithstanding a week of deliberations of the Open-ended Working Group on Non-compliance immediately prior to the COP in Dakar, heated debates on the principles of compliance raged.

Some developing countries were quite wary about giving the Secretariat or other parties the authority to initiate non-compliance procedures. Therefore party-to-party triggers and Secretariat triggers were the most contentious issues discussed on this agenda item. While some parties stretched their positions to the breaking point, others were seemingly entrenched in their positions and unable to budge. Irreconcilable differences – especially on the objective, nature and underlying principles of compliance, and on the details of a compliance committee, notably its composition, decision-making process and procedures for submission, meant that the issue will have to be taken up again at COP-4.

### **COP-3 TRIPOD**

Parties came to COP-3 eager to reach resolution on the three factors described above, seen by many as equally important to the success of the Stockholm Convention. Much as a tripod must rely on its legs being equally solid and balanced to provide the necessary stability, COP-3 participants realized the importance of crafting agreements in all three areas as they dashed between the many contact group meetings on these issues. The impact of this tenuous balance was perhaps best expressed by the blunt words of Karel Blaha, Chair of the Committee of the Whole, who highlighted that “a treaty without a compliance mechanism is a weak treaty.”

### **LOOKING TOWARDS 2009**

After the Senegal meeting, non-compliance remains the short leg of the Convention's tripod. The other two legs, however, technical assistance and finance and effectiveness evaluation, appear to be stabilizing nicely. There were other

positive outcomes including on the issue of synergies between the chemicals conventions and the POPs Review Committee (POPRC).

The importance of synergies between the three chemicals-related Conventions again featured prominently on the COP-3 agenda, as was reflected in the unwavering support for the decision taken on this agenda item. All intervening parties stressed the importance of synergies and noted their commitment to moving ahead in this area. This was in contrast to hesitation at COP-2 on the part of some developing countries that were concerned that directing more resources towards synergies may divert resources available to them for technical and financial assistance. Largely due to the intersessional work of the *Ad Hoc* Joint Working Group (AHJWG) on synergies, the concept of synergies has evolved from a nebulous norm into a series of practical actions, such as adopting a streamlined reporting system, that parties may see as being beneficial. As such, for now at least, synergies represent a common ground for developed and developing countries alike within the Convention.

The POPRC emerged from COP-3 with a clear mandate to continue its work. At its second meeting, the POPRC had stressed the need for a code of practice for the treatment of confidential information and for guidance from the COP on the consideration of isomers. COP-3 adopted decisions on both these matters, thus paving a way for a productive intersessional period for the POPRC.

### **GETTING THE PICTURE IN FOCUS**

While teething problems are to be expected with any new convention, the next COP will mark the Stockholm Convention's fifth anniversary, and delegates had expected the growing pains to be over and done with by the Dakar meeting. While most of the nuts and bolts such as effectiveness evaluation and financial and technical assistance are making good progress, the Convention is not yet fully mature, with significant growth still needed, particularly in the area of non-compliance. This issue, along with expected progress in the AHJWG on synergies and the POPRC, will certainly feature prominently on the agenda at COP-4 in 2009.

In leaving Dakar, delegates had mixed feelings about whether the Convention has enough momentum to continue progressing during the intersessional period, and whether the two strong legs of the Convention (effectiveness evaluation and financial and technical assistance), coupled with the reassuring continuity of synergies and POPRC decisions, will be enough to stabilize the tripod until the next COP in 2009.

## **UPCOMING MEETINGS**

**UNEP WORKSHOP TO REDUCE MERCURY USE AND RELEASE IN PRODUCTS FOR THE ASIA PACIFIC:** This workshop will convene from 17-19 May 2007, in Bangkok, Thailand, and aims to: strengthen awareness on mercury toxicology, exposure pathways, use and release in products and processes; gain an understanding of mercury flow in trade and on mercury inventories and databases; promote the exchange of information on mercury product substitution and best management practices to reduce mercury from products; promote

the global partnership on mercury, particularly on products; and develop action plans aimed at reducing mercury use and release from products. For more information, contact: Desiree M. Narvaez, Programme Officer, Mercury and other Metals Programme, UNEP Chemicals; tel: +41-22-917-8865; fax: +41-22-797-3460; e-mail: [dnarvaez@chemicals.unep.ch](mailto:dnarvaez@chemicals.unep.ch); internet: <http://www.chem.unep.ch/mercury/AP%20Hg%20products%20worksheets%2016Mar07%20.pdf>

**SAICM ASIA PACIFIC REGIONAL MEETING:** This meeting will convene from 21-23 May 2007, in Bangkok, Thailand. Following the adoption of SAICM in February 2006, the regional meetings called for in the SAICM Overarching Policy Strategy to become a key element in the collective efforts to commence implementation of SAICM. The Asia-Pacific Meeting is being organized by UNEP in collaboration with the Pollution Control Department of the Ministry of Natural Resources and Environment, Thailand, and the Japanese Institute for Global Environmental Strategies. For more information, contact: UNEP Chemicals; tel: +41-22-917-8334; fax: +41-22-797-3460; e-mail: [saicm@chemicals.unep.ch](mailto:saicm@chemicals.unep.ch); internet: <http://www.chem.unep.ch/saicm/meeting/asiapacific/may%2007/default.htm>

**SIXTH FAO/WHO JOINT MEETING ON PESTICIDE SPECIFICATIONS AND 51ST-CIPAC-MEETING:** This meeting will convene from 6-14 June 2007, in Durban, South Africa. The FAO/WHO Joint Meeting on Pesticide Specifications (JMPS) and the 51st Collaborative International Pesticides Analytical Council (CIPAC) will include: an FAO/WHO JMPS Closed Meeting (attendance by formal invitation from FAO and WHO only); the 4th Joint CIPAC/FAO/WHO Open Meeting; and a CIPAC Symposium and Technical Meetings. For more information, contact: CIPAC; tel: +27-12-808-8000; fax: +27-12-808-8299; e-mail: [cipac@acw.admin.ch](mailto:cipac@acw.admin.ch); internet: <http://www.cipac.org/datepla.htm>

**SECOND EU-JUSSCANNZ MEETING ON SAICM:** This meeting will convene on 12 June 2007, in Paris, France. EU-JUSSCANNZ countries will hold a second meeting in conjunction with the Organization for Economic Cooperation and Development Joint Meeting of the Chemicals Committee and Working Party on Chemicals, Pesticides and Biotechnology on SAICM. The meeting is intended to address: preparations for the second session of the International Conference on Chemicals Management; financial considerations of the SAICM Quick Start programme; and activities of the SAICM Secretariat. For more information, contact: UNEP Chemicals; tel: +41-22-917-1234; fax: +41-22-797-3460; e-mail: [saicm@chemicals.unep.ch](mailto:saicm@chemicals.unep.ch); internet: [http://www.chem.unep.ch/saicm/meeting/EU\\_Jusscannz/june\\_07/default.htm](http://www.chem.unep.ch/saicm/meeting/EU_Jusscannz/june_07/default.htm)

**JOINT MEETING OF THE FAO PANEL OF EXPERTS ON PESTICIDE RESIDUES IN FOOD AND THE ENVIRONMENT AND THE WHO CORE ASSESSMENT GROUP ON PESTICIDE RESIDUES:** This meeting will convene from 18-27 September 2007, in Geneva, Switzerland. This meeting will consider a list of substances scheduled for evaluation. The list has been prepared by the Joint FAO/WHO Secretariat of the Meeting and is based on recommendations of the Codex Committee on Pesticide Residues (CCPR), previous

Expert Meetings, and direct requests from governments, other interested organizations, and producers of substances that have been evaluated previously. For more information, contact: Gero Vaagt, FAO; tel: +39-06-570-56347; fax: +39-6-570-55757; e-mail: [gero.vaagt@fao.org](mailto:gero.vaagt@fao.org); internet: <http://www.fao.org/ag/AGP/AGPP/Pesticid/JMPR/DOWNLOAD/2007JMPCallfinal.pdf>

**STOCKHOLM CONVENTION POPRC-3:** The third meeting of the Persistent Organic Pollutants Review Committee (POPRC-3) will convene from 19-23 November 2007, in Geneva, Switzerland. For more information, contact: the Stockholm Convention Secretariat; tel: +41-22-917-8191; fax: +41-22-917-8098; e-mail: [ssc@pops.int](mailto:ssc@pops.int); internet: <http://www.pops.int>

**FOURTH MEETING OF THE CONFERENCE OF THE PARTIES TO THE ROTTERDAM CONVENTION:** The fourth meeting of the Conference of the Parties to the Rotterdam Convention will take place in Rome, Italy, from 20-25 October 2008. For more information, contact: the Rotterdam Convention Secretariat; tel: +41-22-917-8296; fax: +41-22-917-8082; e-mail: [pic@unep.ch](mailto:pic@unep.ch); internet: <http://www.pic.int>

**FOURTH MEETING OF THE CONFERENCE OF THE PARTIES TO THE STOCKHOLM CONVENTION ON PERSISTENT ORGANIC POLLUTANTS:** This meeting will convene from 4-8 May 2009, in Geneva, Switzerland. For more information, contact: the Stockholm Convention Secretariat; tel: +41-22-917-8191; fax: +41-22-917-8098; e-mail: [ssc@pops.int](mailto:ssc@pops.int); internet: <http://www.pops.int/>

## GLOSSARY

AHJWG	<i>Ad Hoc</i> Joint Working Group on Enhancing Cooperation and Coordination
BAT	Best available techniques
BEP	Best environmental practices
BCRCCs	Basel Convention Regional and Coordinating Centres
COW	Committee of the Whole
GMP	Global Monitoring Plan
GEF	Global Environment Facility
IPEN	International POPs Elimination Network
IVM	Integrated vector management
NIPs	National Implementation Plans
OEWG NC	Open-ended Working Group on Non-Compliance
POPs	Persistent Organic Pollutants
POPRC	Persistent Organic Pollutants Review Committee
SAICM	Strategic Approach to International Chemicals Management
TWG	<i>Ad Hoc</i> Technical Working Group on Global Monitoring Plan
WHO	World Health Organization