

IPEN Quick Views of Stockholm Convention COP6

April 2013

The following is a summary statement of IPEN views on issues that COP6 will be called upon to address:

Listing HBCD in Annex A

- HBCD should be listed in Annex A for global elimination as recommended by the POPRC
- Parties should be discouraged from seeking exemptions for HBCD for uses in expanded polystyrene and extruded polystyrene in buildings since non-chemical alternatives to HBCD are available, accessible, technically feasible, and economically viable, as outlined in UNEP/POPS/POPRC.7/19/Add.1
- Parties should be assisted in their efforts to comply with waste requirements in Article 6 by requiring the industry to label newly manufactured building insulation containing HBCD, noting that the POPRC expressed concern in Decision POPRC-8/3 regarding the “challenges in identifying materials containing hexabromocyclododecane, for example from buildings that are renovated or dismantled.”
- No recycling exemption should be granted for HBCD as done for PentaBDE and OctaBDE. The POPRC warned against this action noting “that there are concerns about articles and products in use containing hexabromocyclododecane being exported, especially to developing countries and countries with economies in transition.”

DDT

- Further research on and implementation of non-chemical methods and strategies for disease vector control should be accelerated
- Parties should report strategies for malaria control including progress toward the implementation of non-chemical methods
- Use of DDT in indoor residual spray should be limited as much as possible in favour of safer alternatives and taking into consideration impact of disease and insecticide resistance
- The POPRC should undertake further work to characterize the POP properties of bifenthrin

Exemptions and their evaluation

- Parties should promptly eliminate their reliance on specific exemptions and introduce safer alternative measures as soon as possible
- Progress on eliminating brominated diphenyl ethers listed in Annex A and a review of the continued need for the exemption in parts IV and V should be evaluated at COP7 using the process outlined in UNEP/POPS/COP.6/6
- The process outlined in UNEP/POPS/COP.6/7 should be used to evaluate PFOS, its salts and PFOSF at COP7
- The POPRC should prepare a report on the assessment of alternatives to PFOS, its salts and PFOSF to assist in the evaluation at COP7
- The lindane work programme described in COP.5/18 should be funded and implemented to help Parties eliminate pharmaceutical uses for human head lice and scabies
- The notification form for specific exemptions should be slightly expanded to request information on efforts to implement safer alternatives and plans to safely eliminate existing stockpiles; the notification forms for DDT and PFOS should be harmonized with the updated form for specific exemptions

PFOS work programme

- Note that less than 7% of Parties responded to a request for information on implementing POPRC recommendations on PFOS; Parties should expedite reporting on this item

- Parties should implement POPRC recommendations in Annex 2 of UNEP/POPS/COP.6/10 and take these recommendations into account when assessing various acceptable purposes and specific exemptions for PFOS, its salts, and PFOSF at COP7
- POPRC should revise the guidance on alternatives to PFOS to include information on open applications
- POPRC should further evaluate alternatives to PFOS and provide the information for the COP7 evaluation

Endosulfan

- Parties should utilize the POPRC information outlined in UNEP/POPS/COP.6/11 and exercise the precautionary principle to avoid the following chemical substitutes for endosulfan: dicofol, bifenthrin, chlorpyrifos, flufenoxuron, lufenuron, pyridalyl, pyridaben, chlorfluazuron, tolfenpyrad and prothiofos
- Dicofol should be nominated for addition to the Stockholm Convention since the POPRC analysis found it met all Annex D criteria
- The POPRC should continue its assessment of the nine chemicals that might meet Annex D criteria
- Parties should utilize the POPRC analysis of non-chemical alternatives to endosulfan and give priority to ecosystem-based approaches to pest control when choosing endosulfan alternatives; it would be helpful for Parties if UNEP/POPS/POPRC.8/INF/14/Rev.1 was available in all UN languages

Unintentionally-produced POPs

- The BAT/BEP Expert Group should execute the proposed work plan in UNEP/POPS/COP.6/12 and continue its past practice of allocating positions in the expert group for public interest NGO representatives as done for all previous meetings of the BAT/BEP expert group
- The BAT/BEP expert group should have the primary responsibility for generating guidelines and be involved in their production from their inception
- Stockholm Convention experts, including observers, should participate in the actions on wastes containing POPs listed in decision SC-5/9 as outlined in UNEP/POPS/COP.6/14
- The Stockholm Convention Expert groups should take a more pro-active role in the urgent establishment of protective Low POPs levels. Article 6 requires cooperation with the Basel Convention, not delegation to Basel. After 12 years, Basel has developed only weak provisionally levels which exclude practically all dioxins and most other POPs from the requirements of destruction or irreversible transformation as mandated by Article 6
- Parties should utilize the updated Toolkit and develop and implement an action plan to control the dioxin sources that they have identified in their national dioxin inventories¹
- Toolkit experts should contribute to development of a training program for its use and conduct an analysis of unintentionally-produced POPs releases as part of Convention effectiveness evaluation

NIPS

- Approximately 11% of Parties have not turned in NIPs for the original 12 POPs. This needs to be completed as urgently as possible
- Parties need to urgently update their NIPs for the nine new POPs added at COP4. Less than 8% of Parties have met the August 2012 deadline
- Only 25% of the 20 opt-in countries have ratified the nine new POPs added at COP4. This ratification should occur as soon as possible so that updating of NIPs and implementation can begin
- According to UNEP/POPS/COP.5/INF/15, as of 1 November 2012, none of the 20 opt-in countries had ratified the amendment adding endosulfan to the Convention. This ratification should occur as soon as possible so that updating of NIPs and implementation can begin
- Parties should strengthen multi-stakeholder consultation in the design and implementation of NIPs to enable an effective, and regular public participation process and to comply with their Article 10 commitments

¹ All Parties, within two years of the Convention's entry into force, are obliged to develop these plans. For most Parties, the two-year period ended in May 2006, but it appears many have not yet completed this action plan.

Reporting

- Parties need to increase national reporting as required by Article 15; reporting for the last cycle was 54%
- Quantities of stockpiles and the quantities of wastes identified and destroyed should be included in the national reporting questionnaire
- Eligible Parties should be able to receive financial assistance to prepare national reports. Montreal Protocol, CBD, and UNFCCC provide financial assistance with reporting and this is strongly associated with higher reporting rates.²

Effectiveness evaluation

- Several modifications to the framework would better reflect Convention obligations and the ability to evaluate its effectiveness:
 - General indicators of effectiveness should include whether any countries that have not ratified the amendments listing new POPs are major producers, users, importers, exporters, or emitters of these POPs
 - Specific indicators should include the number of Parties using acceptable purposes
 - Evaluation of NIPs should include an indicator for how effectively the NIP has actually been implemented instead of comparing countries that have and not have completed NIPs.
 - Evaluation of Article 10 should include indicators for the number of parties releasing regular reports on POPs and Convention implementation to the public; the number of parties providing access to information in paragraph 1 Article 10 and the number of parties developing and implementing mechanisms such as publically available pollutant release and transfer registers
 - Evaluation of Article 11 should include an indicator for the number of parties that make data and information from research, development, and monitoring activities publically accessible
 - Evaluation of the financial mechanism should use information from the financial mechanism review including the aspects of the need for adequacy, predictability, the timely flow of funds and the importance of burden sharing
- Global monitoring should include countries that have produced POPs
- Sampling media should include a subset of hotspot sites since these contribute to wider contamination from long-range transport, including potential accelerated releases and transport due to climate warming
- Sampling should include POPs in traditional and market food sources, particularly traditional foods of Arctic Indigenous Peoples including fish, marine mammals, rendered oils, blubber, liver and other organ tissues
- Monitoring results should be publicly released nationally to raise awareness

Financial resources

- The chemicals agenda is underfunded; POPs represent only a small part of the GEF budget; only 9% of the GEF5 portfolio³
- There is a 12- to 14-fold difference between Convention needs and funding for the 2010 – 2014 period⁴
- Estimates of needs for 2015 – 2019 period are \$1.9 billion USD; if GEF funding remains the same there would be a 5-fold difference between Convention needs and funding for this period
- Needs assessment uncertainties for the 2015 – 2019 period include:
 - Low response rate to the 2015-2019 Needs Assessment electronic information collection form; only 13 Parties submitted information (~7% of Parties)
 - Discrepancies between information in NIPs and electronic reporting format
 - No eligible Parties have revised and submitted their NIPs to take account of the new POPs

² UNEP/POPS/COP.6/INF/28

³ \$4.20 billion USD for the GEF-5 period (July 1, 2010, to June 30, 2014), of which \$375 million USD programmed under the chemicals focal area (8.9%); \$1.35 billion USD for climate (32%) and \$1.2 billion for biodiversity (29%).

⁴ UNEP/POPS/COP.6/INF/20 notes that financial needs assessment for 2010 – 2014 = \$4.49 billion USD, but an underestimate since it only includes 68 Parties; an estimate of need for 108 NIPs is \$5.3 billion USD; GEF5 allocation for the same period = \$375 million USD – a 12 to 14-fold difference between need and actual funding respectively

- Since needs and obligations for new and additional funding outlined in Article 13 have not materialized, other sources of funding should be explored including economic instruments to recover costs from companies that have produced POPs and/or countries in which they are based
- It appears that the GEF SGP is substantially underfunding chemicals and wastes; currently half-way through GEF5, SGP projects relevant to POPs or chemicals represent \$1.9 million USD or 1.4% of the \$140 million USD allocation for GEF5 vs. 9% in the total GEF5 allocation for POPs; Evaluation of the GEF should include determination of whether SGP funding for chemicals and wastes reflects the same proportion in the overall GEF portfolio
- The needs assessment activity should be merged into Article 15 reporting using the electronic format and supported financially for greater response rates
- Information that Parties have developed on pollutant releases, stockpiles, PCBs and other POPs should be compiled and made available on the Convention website

PCBs

- Parties should report information on PCBs elimination in national reports so that progress towards the elimination of PCBs at COP7 can be evaluated

Non-compliance

- Non-compliance with Convention obligations, including non-compliance with reporting requirements, may undermine the ability of the Convention to achieve its objectives. For example,
 - Approximately 11% of Parties have not transmitted their NIPs covering the 12 original POPs to the Secretariat⁵
 - Less than 8% of Parties met the August 2012 deadline to update their NIPs
 - Only 54% of Parties submitted second national reports pursuant to Article 15 by 8 March 2012⁶
 - So few Parties reported exports and imports of POPs that a sound evaluation could not be made of the continued need for the procedure under paragraph 2 (b) of Article 3⁷
- Article 17 requires the COP to develop a compliance system “as soon as practicable.” COP6 should finalize agreement and comply now with the requirements of Article 17 by approving procedures and mechanisms for determining and treating non-compliance

Procedure para 2b, Article 3 (export provisions)

- In their national reporting under Article 15, Parties should include information if they export any of the chemicals listed in Annexes A and B, including newly listed POPs; Note that less than 15% of the Parties reported on this item
- The procedure outlined in Para 2b, Article 3 should continue

Rules of procedure

- Parties should support effective operation of the Convention by removing the brackets in Rule 45.1 to permit voting when all efforts at consensus have been exhausted.

⁵ UNEP/POPS/COP.6/INF/12

⁶ UNEP/POPS/COP.6/INF/28

⁷ UNEP/POPS/COP.6/8