

Ongoing Work

The Third Session of the Intergovernmental Negotiating Committee (INC-3) for an International Legally Binding Instrument for Implementing International Action on Certain Persistent Organic Pollutants (POPs), opened in Geneva on Monday 6 September 1999, and continued through to Saturday 11 September 1999. The INC is addressing twelve POPs grouped in three categories:

- **pesticides:** aldrin, chlordane, DDT, dieldrin, endrin, heptachlor, mirex and toxaphene;
- **industrial chemicals:** hexachlorobenzene (HCB) and polychlorinated biphenyls (PCBs)
- **byproducts:** dioxins and furans.

The Session was very efficiently chaired by *John Bucini* of Canada and was attended by more than 400 participants from 110 countries, 10 IGOs and 70 NGOs. Delegates were welcomed by *Philippe Roch*, Director of the Swiss Agency for Environment, Forests and Landscape. UNEP's Executive Director, *Klaus Töpfer* in his opening remarks stressed the need for global action to develop specific control measures and deadlines for the twelve POPs. *Philippe Roch* emphasized the need to add other substances to the initial list and to take measures to stop the development and production of new POPs. The dilemma of DDT was mentioned by both speakers and has been at the centre of discussions several times during this session. DDT is efficiently used to control malaria and other vector-borne diseases, thus serving the public interest and yet it is a dangerous POP.

WHO's secretariat submitted information on the progress of its action plan for the reduction of reliance of DDT use for public health purposes (UNEP/POPS/INC.3/INF/15).

Klaus Töpfer thanked the following States for their 1999 contributions to the POPs Club, the funding mechanism for the talks: Australia, Austria, Canada, Germany, Madagascar, Norway, Sweden, Switzerland and the United Kingdom. He called for further contributions to keep the process going. He recalled the precautionary principle, embodied in Agenda 21, which tells us to take significant action to prevent harm to health and the environment. The International POPS Eliminating Network called for incorporation of the Precautionary Principle and a transparent procedure.

A legal drafting group, restricted to government representatives, was established under the chairmanship of *Patrick Széll* (UK). It met as an open ended group, at times in parallel with the Plenary and at other times joining in substantive discussions in Plenary. Its first mandate was to examine standard procedural articles.

The need for consistency with existing international conventions was underlined, namely with the Rotterdam and Basel Conventions and with the WTO rules on import and export of goods. An evaluation of the relationship between POPs waste and the Basel Convention was called for. The Basel Convention Secretariat announced that its work programme includes a proposed classification of obsolete pesticides needing reformulation, in close cooperation with UNEP Chemicals to avoid gaps and overlaps.

On the issue of newly developed chemicals the EU, represented by Finland, proposed to include a text stating that each party shall take necessary measures to prevent such chemicals that exhibit POPs characteristics from being produced, made commercially available or used.

A legal drafting group completed text on 15 procedural articles of the Convention.

Discussions were tight at this third round of negotiations, especially regarding exemptions for research purposes. The EU, backed by Iceland, Norway, Thailand, Gambia and El Salvador, were calling for strong elimination commitments while other countries, notably the US, Canada, Australia, Japan and South Korea, resisted and seemed to prefer a weaker treaty by calling for control and management policies for POPs rather than their elimination. Lack of adequate funding for eliminating POPs appeared as the biggest worry for developing countries.

At the end of these negotiating rounds there seems to be agreement to eliminate the seven least produced and

used pesticides and one industrial compound. DDT, PCBs, dioxine and furans seem to pose far more problems to the negotiators.

Future Work

INC-4 will be held in Bonn, Germany, from 20–25 March 2000. INC-5 will be hosted by South Africa, with financial contribution from Denmark, at the end of 2000. Sweden offered to host and fund the Diplomatic Conference, sometime between April and June 2001. Switzerland has offered to fund the first Conference of the Parties, which it wished to be held in a developing country. (Milena Bellini) □