

**United Nations  
Environment**

Distr.  
GENERAL

UNEP/POPS/INC.3/INF/2  
14 June 1999

ENGLISH ONLY

INTERGOVERNMENTAL NEGOTIATING COMMITTEE FOR AN  
INTERNATIONAL LEGALLY BINDING INSTRUMENT  
FOR IMPLEMENTING INTERNATIONAL ACTION ON  
CERTAIN PERSISTENT ORGANIC POLLUTANTS

Third session

Geneva, 6-11 September 1999

Item 2 (c) of the provisional agenda\*

REPORT BY THE SECRETARIAT ON INTER-SESSIONAL WORK REQUESTED  
BY THE COMMITTEE

Summary of existing national legislation  
on persistent organic pollutants

Note by the secretariat

INTRODUCTION

1. At the second session of the Intergovernmental Negotiating Committee, the Implementation Aspects Group requested the secretariat to compile, inter alia, a summary of existing national legislation on persistent organic pollutants (POPs) for consideration at its next meeting (UNEP/POPS/INC.2/6, subparagraph 96 (c)).

2. In response to that request, the secretariat has prepared the present summary of existing national legislation and regulatory action on POPs. The summary is taken from a set of data described in paragraph 4 below. The full set of summary data, which includes information from 115 countries pertaining to the regulation of the production, use, import and export of the 12 specified POPs, will be available as an information document at the third session of the Intergovernmental Negotiating Committee. The tables contained in the annex to the present note focus on actions regulating use, except in the case of dioxins and furans, where the focus is on measures to restrict emissions.

\* UNEP/POPS/INC.3/1.

3. The summary is limited to national legislative and regulatory actions and those of regional economic integration organizations whose legislative and regulatory actions are directly applicable to their member States.

#### I. INFORMATION SOURCES

4. Information for the present summary was collected from the following sources:

(a) Regulatory actions and guidelines concerning POPs, UNEP Chemicals, June 1998, which is based on the UNEP Chemicals Legal File, the Food and Agriculture Organization of the United Nations (FAO) prior informed consent (PIC) procedure database, and POPs information questionnaires received from Governments by UNEP Chemicals prior to May 1998;

(b) POPs information questionnaires submitted by Governments to UNEP Chemicals between May 1998 and May 1999; and

(c) Proceedings of eight regional and subregional POPs awareness-raising workshops held between July 1997 and June 1998, convened jointly by UNEP and the Intergovernmental Forum on Chemical Safety (IFCS).

5. Information gathered from those sources has certain very significant limitations. First, the completeness and quality of data vary from source to source. The information provided through the PIC procedure may be the most reliable since it derives from formal submissions by countries. Data from the regional and subregional workshops, on the other hand, are based on reports given by government experts, who may not always indicate the source of their information. Second, information submitted may be incomplete, unclear, or otherwise inconclusive. Third, the nature of the action taken can be difficult to discern without further information. Fourth, absence of a regulatory control does not necessarily mean that the use of the chemical is allowed (as in the case of unregistered pesticides). Fifth, for some countries, the data used are seriously out of date and may overlook important actions which those countries have taken more recently on POPs.

6. For the above reasons, it is important to consider the present summary as a first attempt to analyse available information which needs further work and continuous updating. Governments are invited to provide additional information to correct or update the information used here. The summary will be revised regularly to reflect new information received.

#### II. SUMMARY INFORMATION

7. For the purposes of this paper only, legislation and regulatory actions are grouped into the following categories:

/...

1. (B1) General bans. This includes prohibitions on all known current uses of a chemical. Also included in this category are pesticides that are not registered for such use in a country that requires this and that has no significant non-pesticide uses;

(a) (B2) Limited bans. This includes bans on one or more major use category without specification as to whether other uses are banned. Thus, a pesticide POP could be banned in agriculture, but bans on other uses, such as for the control of head-lice are not mentioned;

(b) (B3) Bans by the European Community. This includes cases where the European Community has taken action to ban a POP but data from one or more European Community member States are missing or otherwise out of date;

(c) (S) Severe restrictions. This includes bans on all major uses except for certain specified uses, such as the use of DDT for disease vector control purposes;

(d) (R) Other restrictions. This includes prohibitions on some uses and other requirements related to the use of a chemical;

(e) (L) Lacks legislation. This includes cases where a country has indicated that it lacks legislation necessary to regulate the use of a chemical or chemicals;

(f) (I) Inconclusive. It was not possible to determine the level of action taken based on the data provided.

It is important to note that, on the basis of data available, it is often difficult to distinguish between the various levels of legislative or regulatory action taken in countries.

8. Information is summarized in two tables, the first on global totals, the second on national actions by region. In brief, the data available indicate a significant number of countries have taken action (range: 59-80) to ban or severely restrict the use of each of the nine POP pesticides. The summary indicates that one country has banned all uses of polychlorinated biphenyls (PCBs) and 34 have severely restricted their use. Legal action on the unintentionally generated by-products, dioxins and furans, is much less common and involves restrictions to reduce emissions rather than use bans. Data gaps remain large with no data available from 77 countries for any of the POPs. In addition, data on specific POPs from countries for which at least some data are available are, in a number of cases, inconclusive or missing. Thus, what is available is a very rough picture of the status of national legislative and regulatory action to address POPs. More complete and up-to-date information is needed from countries to develop a more accurate summary of this status.

/...

**Table 1: Global totals**

Status compiled in June 1999

Numbers indicated are of the total of 115 countries that submitted data in the various forms noted in the report.

-- The United Nations recognizes 192 States, 185 of which are members of the United Nations.

**Number of countries, by compound**

Status	Aldrin	Chlordane	Dieldrin	DDT	Endrin	Heptachlor	HCB (hexachlorobenzene)	Mirex	Toxaphene	PCBs	Dioxins	Furans
B1	52	47	51	51	45	47	34	39	42	1	0	0
B2	14	4	8	3	12	4	16	3	11	0	0	0
B3	6	6	8	6	8	8	9	10	5	0	0	0
S	4	8	2	20	4	3	5	7	4	34	0	0
R	6	9	7	6	5	14	4	3	8	11	23	22
L	14	6	11	8	7	7	7	9	8	12	5	6
I	19	35	28	21	34	32	40	44	37	57	87	87
<b>Total reporting countries</b>	<b>115</b>	<b>115</b>	<b>115</b>	<b>115</b>	<b>115</b>	<b>115</b>	<b>115</b>	<b>115</b>	<b>115</b>	<b>115</b>	<b>115</b>	<b>115</b>
<b>Total non-reporting countries</b>	<b>77</b>											
<b>% reporting countries</b>	<b>60%</b>											

**Countries from which data were not received include:**

Afghanistan, Albania, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bangladesh, Bhutan, Bosnia and Herzegovina, Brunei Dar es Salam, Burundi, Cambodia, Cape Verde, Central African Republic, Chad, Cook Islands, Comoros, Congo, Democratic People's Republic of Korea, Djibouti, Dominican Republic, El Salvador, Equatorial Guinea, Eritrea, Gabon, Grenada, Guinea-Bissau, Guyana, Haiti, Honduras, Holy See, Iceland, Iraq, Jordan, Kiribati, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Malawi, Malta, Maldives, Mauritania, Micronesia, Monaco, Morocco, Mozambique, Myanmar, Namibia, Nauru, Oman, Pakistan, Palau, Papua New Guinea, Philippines, Qatar, Poland, Saint Lucia, St. Vincent and the Grenadines, San Marino, Sao Tome and Principe, Saudi Arabia, Sierra Leone, Solomon Islands, Somalia, Sudan, Swaziland, Tonga, Tunisia, Turkey, Tuvalu, Uganda, Vanuatu, Yemen, and Yugoslavia.

**Key:**

- B1 national law bans substance for all uses
- B2 national law bans substance from principal use
- B3 substance banned, EC directive or regulation
- S national law severely restricts substance
- R national law restricts use of substance
- I inconclusive data; not possible to determine status
- L lacking legislation; data indicate no legislation in place to address POPs

**Table 2: National actions by region**

Africa	Aldrin	Chlordane	Dieldrin	DDT	Endrin	Heptachlor	HCB (hexachlorobenzene)	Mirex	Toxaphene	PCBs	Dioxins	Furans
Algeria	B1	B1	B1	B1	B1	B1	B1	B1	B1	S	I	I
Benin	B1	B1	B1	B1	B1	B1	B1	L	B1	L	L	I
Botswana	L	L	L	L	L	L	L	L	L	S	I	L
Burkina Faso	B1	B1	B1	B1	I	B1	I	I	I	I	I	I
Cameroon	I	I	I	L	I	I	I	I	I	L	I	I
Cote d'Ivoire	L	I	I	I	I	I	I	I	I	L	I	I
Democratic Congo Republic	L	L	L	L	I	L	I	I	I	L	I	I
Egypt	B2	R	B2	R	B2	R	I	S	I	I	I	I
Ethiopia	B1	B1	B2	L	B2	B1	B2	B1	B1	I	I	I
Gambia	L	I	I	B1	I	I	I	I	I	I	I	I
Ghana	I	I	I	I	I	I	I	I	I	L	I	I
Guinea	R	R	R	R	R	R	R	R	R	I	I	I
Kenya	B2	B1	S	S	B1	B1	I	I	B1	I	I	I
Madagascar	B1	B1	B1	B1	B1	S	B1	I	I	S	I	I
Mali	I	I	I	I	I	I	I	I	I	I	I	I
Mauritius	B2	S	B2	S	S	S	B2	S	B2	S	I	I
Niger	I	B1	B1	B1	I	I	B1	B1	B1	I	I	I
Nigeria	L	L	L	L	I	L	I	I	L	I	I	I
Rwanda	B1	I	B1	B1	I	I	I	I	I	I	I	I
Senegal	I	I	I	I	I	I	I	I	I	I	I	I
Seychelles	I	I	I	I	I	I	I	I	I	I	I	I
South Africa	I	I	I	S	I	I	I	I	I	S	I	I
Tanzania, United Republic of	L	I	L	I	L	I	I	I	I	I	I	L
Togo	B1	I	B1	B1	B1	L	I	I	I	S	I	I
Zambia	I	I	I	I	I	I	I	I	I	S	I	I
Zimbabwe	B2	I	I	I	I	I	I	I	I	I	I	I
<b>Totals:</b>												
<b>B1</b>	7	7	7	8	5	5	3	4	4	0	0	0
<b>B2</b>	4	0	3	0	2	0	2	0	1	0	0	0
<b>B3</b>	0	0	0	0	0	0	0	0	0	0	0	0
<b>S</b>	0	1	1	3	1	2	0	2	0	7	0	0
<b>R</b>	1	2	1	2	1	2	1	1	1	0	0	0
<b>L</b>	6	3	4	5	2	4	2	1	3	5	1	2
<b>I</b>	8	13	10	8	15	13	18	18	17	14	25	24

Total reporting countries 26  
 % Reporting countries 49%

Countries in this region from which data were not received include: Angola, Burundi, Cape Verde, Central African Republic, Chad, Comoros, Congo, Djibouti, Equatorial Guinea, Eritrea, Gabon, Guinea-Bissau, Lesotho, Liberia, Libyan Arab Jamahiriya, Malawi, Mauritania, Morocco, Mozambique, Namibia, Sao Tome and Principe, Sierra Leone, Somalia, Sudan, Swaziland, Tunisia and Uganda.

<b>Key:</b>	B1	national law bans substance for all uses
	B2	national law bans substance from principal use
	B3	substance banned, EC directive or regulation
	S	national law severely restricts substance
	R	national law restricts use of substance
	I	inconclusive data; not possible to determine status
	L	lacking legislation; data indicate no legislation in place to address POPs

Table 2: continued

## National actions by region

Asia and the Pacific	Aldrin	Chlordane	Dieldrin	DDT	Endrin	Heptachlor	HCB (hexachlorobenzene)	Mirex	Toxaphene	PCBs	Dioxins	Furans
Bahrain	R	R	R	R	B1	R	S	R	R	L	I	I
China	B1	S	B1	S	B2	B1	R	S	R	S	I	I
Cyprus	B1	B1	B1	B1	B1	B1	B2	I	L	R	I	I
Fiji	B1	B1	B1	B1	I	B1	B1	B1	B1	I	I	I
India	B1	B1	L	S	R	R	I	I	B1	R	I	I
Indonesia	I	I	I	R	I	I	I	I	I	I	I	I
Iran (Islamic Republic of)	B1	B1	B1	S	B1	B1	I	B1	B1	S	I	I
Israel	B1	B1	B1	B1	B1	B1	B1	B1	B1	S	I	I
Japan	B2	B1	B1	B1	B2	I	B2	B1	B1	R	R	R
Kazakhstan	L	I	I	I	I	I	I	I	I	I	I	I
Korea, Republic of	B2	S	R	B1	S	R	S	I	B1	R	R	I
Kuwait	B1	B1	B1	B1	B1	B1	B1	B1	B1	R	I	I
Kyrgyzstan	I	I	L	I	I	I	I	I	I	I	I	I
Lao Peoples Dem. Rep.	I	I	I	I	R	R	I	I	R	I	I	I
Lebanon	B1	B1	B1	B1	B1	B1	B2	B1	B1	I	I	I
Malaysia	R	R	R	S	L	B1	L	L	L	S	L	L
Mongolia	B2	S	B2	S	S	B2	B2	S	B2	S	I	I
Nepal	I	I	I	I	I	I	I	I	I	I	I	I
Samoa	I	I	I	B1	I	I	I	I	I	I	I	I
Singapore	S	R	S	B1	B1	R	B1	R	S	I	I	I
Sri Lanka	R	R	R	B1	B1	B1	I	I	I	I	I	I
Syrian Arab Republic	B2	S	B2	B2	B2	B2	B2	B2	B2	R	I	I
Tajikistan	L	I	L	I	L	I	I	I	I	I	I	I
Thailand	B1	B1	B1	B1	B1	B1	B1	B1	B1	R	I	I
Turkmenistan	I	I	I	I	I	I	I	I	I	I	I	I
United Arab Emirates	B2	R	B2	B2	B2	B1	B2	B2	B2	I	I	I
Uzbekistan	I	I	I	I	I	I	I	I	I	I	I	I
Viet Nam	B1	B1	B1	B1	B1	B1	B1	B1	B1	L	I	I
<b>Totals:</b>												
<b>B1</b>	10	10	10	12	10	12	6	8	10	0	0	0
<b>B2</b>	5	0	3	2	4	2	6	2	3	0	0	0
<b>B3</b>	0	0	0	0	0	0	0	0	0	0	0	0
<b>S</b>	1	4	1	5	2	0	2	2	1	5	0	0
<b>R</b>	3	5	4	2	2	5	1	2	3	7	2	1
<b>L</b>	2	0	3	0	2	0	1	1	2	2	1	1
<b>I</b>	7	9	7	7	8	9	12	13	9	14	25	26

Total reporting countries

28

% reporting countries

51%

Countries in this region from which data were not received include: Afghanistan, Bangladesh, Bhutan, Brunei Darussalam, Cambodia, Cook Islands, Democratic People's Republic of Korea, Iraq, Jordan, Kiribati, Maldives, Micronesia (Federated States of), Myanmar, Nauru, Oman, Pakistan, Palau, Papua New Guinea, Philippines, Qatar, Saudi Arabia, Solomon Islands, Tonga, Turkey, Tuvalu, Vanuatu, and Yemen.

## Key:

- B1 national law bans substance for all uses
- B2 national law bans substance from principal use
- B3 substance banned, EC directive or regulation
- S national law severely restricts substance
- R national law restricts use of substance
- I inconclusive data; not possible to determine status
- L lacking legislation; data indicate no legislation in place to address POPs

Table 2: continued

## National actions by region

Central and Eastern Europe	Aldrin	Chlordane	Dieldrin	DDT	Endrin	Heptachlor	HCB (hexachlorobenzene)	Mirex	Toxaphene	PCBs	Dioxins	Furans
Armenia												
Belarus	B2			B1	B2							
Bulgaria	B2											
Croatia	L										R	R
Czech Republic	R	R	R	S	R	R	R		R	S		
Estonia	B2	B2	B2	B1	B2	B1	S	B1	B2			
Georgia	L	L	L	L	L	L	L	L	L	L	L	L
Hungary	B1		B1	S								
Latvia		B1		B1	B2		B2	B1				
Lithuania	B1	B1	B1	B1		B1	B1	B1	B1	S		
Macedonia, The Former Yugoslav R	B1	B1	B1	B1	B2	B1	B2	B1	R			
Moldova, Republic of	L			B1								
Romania	B1	B1	B1	R	B1	B1	B1	B1	B1			
Russian Federation	B1	B1	B1	S	B2	R	B2	B2	R		L	L
Slovenia				S			S					
Slovakia	B1	B1	B1	R	R	B2	B1		B2			
Ukraine												
<b>Totals:</b>												
<b>B1</b>	6	6	6	6	1	4	3	5	2	0	0	0
<b>B2</b>	3	1	1	0	5	1	3	1	2	0	0	0
<b>B3</b>	0	0	0	0	0	0	0	0	0	0	0	0
<b>S</b>	0	0	0	4	0	0	2	0	0	2	0	0
<b>R</b>	1	1	1	2	2	2	1	0	3	0	1	1
<b>L</b>	3	1	1	1	1	1	1	1	1	1	2	2
<b>I</b>	4	8	8	4	8	9	7	10	9	14	14	14

Total reporting countries 17  
 % reporting countries 77%

Countries in this region from which data were not received include: Albania, Azerbaijan, Bosnia and Herzegovina, Poland and Yugoslavia.

Key:		
B1	national law bans substance for all uses	
B2	national law bans substance from principal use	
B3	substance banned, EC directive or regulation	
S	national law severely restricts substance	
R	national law restricts use of substance	
I	inconclusive data; not possible to determine status	
L	lacking legislation; data indicate no legislation in place to address POPs	

Table 2: continued

## National actions by region

Latin America and the Caribbean	Aldrin	Chlordane	Dieldrin	DDT	Endrin	Heptachlor	HCB (hexachlorobenzene)	Mirex	Toxaphene	PCBs	Dioxins	Furans
Argentina	R	S	R	B1	B1	R	R	L	B2	R	R	R
Barbados	B1	B1	B1	B1	B1	B1	B1	B1	B1	I	I	I
Belize	B1	B2	B1	S	B1	B1	B2	B1	B1	I	I	I
Bolivia	B1	B1	B1	B1	I	B1	I	L	B1	I	I	I
Brazil	B2	I	I	B1	B2	B2	B2	S	B2	I	I	I
Chile	B1	B1	B1	B1	B1	B1	B1	B1	B1	S	I	I
Colombia	B1	B1	B1	S	B1	B1	B1	B1	B1	I	I	I
Costa Rica	B1	B2	B1	S	B1	B1	L	L	B1	L	I	I
Cuba	B1	I	B1	B1	B1	R	I	I	B1	I	I	I
Dominica	S	I	I	I	I	I	I	I	I	I	I	I
Ecuador	B1	B1	B1	S	B1	B1	B1	B1	B1	I	I	I
Guatemala	B1	B1	B1	S	B1	B1	B1	B1	B1	I	I	I
Jamaica	B1	B1	B1	B1	B1	B1	B1	B1	B1	L	I	I
Mexico	B1	R	B1	S	B1	R	B2	B1	R	R	I	I
Nicaragua	L	B1	L	B1	L	B1	B1	L	B1	I	I	I
Panama	B1	S	B1	B1	B1	B1	B1	B1	B1	I	I	I
Paraguay	S	I	I	I	B1	R	B1	I	S	L	I	I
Peru	B1	B1	B1	S	B1	B1	B1	B1	B1	I	I	I
Saint Kitts and Nevis	B1	B1	B1	B1	B1	B1	B1	B1	B1	I	I	I
Suriname	L	L	L	L	L	L	L	L	L	I	I	I
Trinidad and Tobago	B1	B1	B1	B1	B1	B1	B1	B1	B1	I	I	I
Uruguay	L	L	L	L	S	L	L	L	L	L	L	L
Venezuela	B1	I	B1	S	I	B1	B1	B1	I	R	I	I
<b>Totals:</b>												
<b>B1</b>	16	11	16	11	16	15	13	13	15	0	0	0
<b>B2</b>	1	2	0	0	1	1	3	0	2	0	0	0
<b>B3</b>	0	0	0	0	0	0	0	0	0	0	0	0
<b>S</b>	2	2	0	8	1	0	0	1	1	1	0	0
<b>R</b>	1	1	1	0	0	4	1	0	1	3	1	1
<b>L</b>	3	2	3	2	2	2	3	6	2	4	1	1
<b>I</b>	0	5	3	2	3	1	3	3	2	15	21	21

Total reporting countries 23

% reporting countries 70%

Countries in this region from which data was not received include: Antigua and Barbuda, Bahamas, Dominican Republic, El Salvador, Grenada, Guyana, Haiti, Honduras, Saint Lucia, and St. Vincent and the Grenadines.

Key:	
B1	national law bans substance for all uses
B2	national law bans substance from principal use
B3	substance banned, EC directive or regulation
S	national law severely restricts substance
R	national law restricts use of substance
I	inconclusive data; not possible to determine status
L	lacking legislation; data indicate no legislation in place to address POPs



Table 2: continued

## National actions by region

Western Europe and other States	Aldrin	Chlordane	Dieldrin	DDT	Endrin	Heptachlor	HCB (hexachlorobenzene)	Mirex	Toxaphene	PCBs	Dioxins	Furans
Australia	S	B1	B1	B1	B1	R	B1	S	S	R	I	I
Austria	B1	B1	B1	B1	B1	B1	B1	B3	B1	S	R	R
Belgium	B1	B1	B1	B1	B1	B1	B3	B1	B1	S	R	R
Canada	B1	B1	B1	B1	B1	B1	B1	S	B1	S	R	R
Denmark	B1	B2	B3	B1	B3	B3	B3	B3	B3	S	R	R
Finland	B3	B1	B3	B1	B3	B3	B1	B1	B1	S	R	R
France	B3	B3	B3	B3	B3	B3	B3	B3	B3	S	R	R
Germany	B1	B1	B3	B1	B1	B3	B3	B3	B1	S	R	R
Greece	B1	B1	B1	B1	B1	B1	B1	B3	B1	S	R	R
Ireland	B1	B1	B1	B1	B1	B1	B1	B1	S	S	R	R
Italy	B3	B3	B3	B3	B3	B3	B3	B3	B2	S	R	R
Luxembourg	B3	B3	B3	B3	B3	B3	B3	B3	B3	S	R	R
New Zealand	B1	S	B1	B1	B1	B1	B2	B1	B2	S	I	I
the Netherlands	B3	B3	B3	B3	B3	B3	B3	B3	B3	S	R	R
Norway	B1	B1	B1	B1	B1	B1	B1	B1	B1	S	R	R
Portugal	B3	B3	B3	B3	B3	B3	B3	B3	B3	S	R	R
Spain	B1	B1	B1	B3	B1	B1	S	B1	B1	S	R	R
Sweden	B1	B1	B1	B1	B1	B1	B1	B1	B1	B1	R	R
Switzerland	B2	B1	B2	B2	B1	B1	B1	B1	B2	S	R	R
United Kingdom	B1	B3	B1	B1	B3	B1	B3	B3	B1	S	R	R
USA	B1	B1	B1	B1	B1	S	B2	B1	B1	S	R	R
<b>totals:</b>												
<b>B1</b>	13	13	12	14	13	11	9	9	11	1	0	0
<b>B2</b>	1	1	1	1	0	0	2	0	3	0	0	0
<b>B3</b>	6	6	8	6	8	8	9	10	5	0	0	0
<b>S</b>	1	1	0	0	0	1	1	2	2	19	0	0
<b>R</b>	0	0	0	0	0	1	0	0	0	1	19	19
<b>L</b>	0	0	0	0	0	0	0	0	0	0	0	0
<b>I</b>	0	0	0	0	0	0	0	0	0	0	2	2

Total reporting countries

21

% reporting countries

78%

Countries in this region from which data was not received include: Holy See, Iceland, Liechtenstein, Malta, Monaco and San Marino.

## Key:

B1	national law bans substance for all uses
B2	national law bans substance from principal use
B3	substance banned, EC directive or regulation
S	national law severely restricts substance
R	national law restricts use of substance
I	inconclusive data; not possible to determine status
L	lacking legislation; data indicate no legislation in place to address POPs