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

Sixth session

Geneva, 17-21 June 2002

Item 2 (a) of the provisional agenda*

ADOPTION OF THE AGENDA

Annotated provisional agenda

Item 1: Opening of the session

1. The sixth session of the Intergovernmental Negotiating Committee for an International Legally Binding Instrument for Implementing International Action on Certain Persistent Organic Pollutants to be held at the Geneva International Conference Centre, Rue de Varembé 15, Geneva, Switzerland, will be opened at 10 a.m. on Monday, 17 June 2002.
2. Opening and welcoming statements will be delivered.

Item 2: Organizational matters

(a) Adoption of the agenda

3. The Committee may wish to adopt its agenda on the basis of the provisional agenda contained in document UNEP/POPS/INC.6/1.

(b) Organization of work

4. The Committee has before it the scenario note for the session prepared by the Chair (UNEP/POPS/INC.6/INF/1).
5. The Committee may wish to decide that it meets from 10 a.m. to 1 p.m. and from 3 p.m. to 6 p.m. every day from 17 to 21 June 2002, subject to adjustment as necessary.

* UNEP/POPS/INC.6/1.

(c) Report by the secretariat on inter-sessional work requested by the Committee and the Conference of Plenipotentiaries on the Stockholm Convention on Persistent Organic Pollutants

6. The secretariat will provide a verbal report on inter-sessional work as requested by the Committee on the basis of document UNEP/POPS/INC.5/7 and inter-sessional work requested by the Conference of Plenipotentiaries on the basis of document UNEP/POPS/CONF/4. The Committee may wish to take note of this report.

(d) Bureau issues

7. The Committee may need to elect new bureau members to replace those that are unable to continue.

8. The Committee has before it the note by the secretariat on bureau issues (UNEP/POPS/INC.6/2). The Committee may wish to consider the information provided therein and decide whether to expand the size of its bureau from 5 to 10 members and the timing of such an expansion should the Committee decide to do so.

Item 3: Review of ongoing international activities relating to the work of the Committee

9. The secretariat will provide a verbal report on ongoing activities relating to the work of the Committee based on the fourth edition of the master list of actions on the reduction and/or elimination of the releases of persistent organic pollutants (UNEP/POPS/INC.6/INF/10).

10. Intergovernmental organizations will be given the opportunity to provide very brief interventions about their ongoing activities relating to the work of the Committee.

Item 4: Activities of the secretariat and review of the situation as regards extrabudgetary funds

11. The Committee has before it the note by the secretariat on activities of the secretariat during the interim period and the situation regarding extrabudgetary funds (UNEP/POPS/INC.6/3). The Committee may wish to take note of the information presented therein, make recommendations on the secretariat's activities, consider, and, as appropriate, adopt the draft budget for 2003 and 2004 and decide how to mobilize funding for the budget during the interim period prior to the entry into force of the Stockholm Convention.

Item 5: Preparation for the Conference of the Parties¹

(a) Measures to reduce or eliminate releases from intentional production and use and Register of specific exemptions (Articles 3 and 4, and Annex A and Annex B)

12. The Committee has before it the note by the secretariat on the review process for entries in the register of specific exemptions (UNEP/POPS/INC.6/4) and a draft format of the register (UNEP/POPS/INC.6/INF/6). The Committee may wish to take note of the information contained therein and consider developing guidance to assist the Conference of the Parties at its first meeting in deciding on the review process for entries in the register. In doing so, the Committee may wish to request the secretariat, or establish another process, to develop proposals for this review process for consideration by the Committee at its next session.

13. The Committee has before it the note by the secretariat on work related to DDT (UNEP/POPS/INC.6/5) and the World Health Organization Action Plan for the Reduction of Reliance on DDT in Disease Vector Control (UNEP/POPS/INC.6/INF/3). The Committee may wish to take note of the information contained therein and consider establishing a process to develop the format for reporting by the Parties required under paragraph 4 of Part II of Annex B for consideration by the Conference of the Parties

¹ All references to articles and annexes below are to those contained in the Stockholm Convention on Persistent Organic Pollutants.

and develop guidance and collect information to assist the Conference of the Parties at its first meeting in evaluating the continued need for DDT for vector control required under paragraph 6 of Part II of Annex B. The Committee may also wish to invite the World Health Organization to participate actively in any process the Committee may establish to complete this work.

(b) Measures to reduce or eliminate releases from unintentional production (Article 5 and Annex C)

14. The Committee has before it the note by the secretariat on guidance on the evaluation of current and projected releases of chemicals listed in Annex C (UNEP/POPS/INC.6/6). The Committee may wish to take note of the information contained therein and consider, *inter alia*, further application and refinement of the methodology referred to in that note in order to develop such guidance for consideration by Conference of the Parties at its first meeting,

15. The Committee has before it the note by the secretariat on guidance on best available techniques and best environmental practices pursuant to Article 5 (UNEP/POPS/INC.6/7). The Committee may wish to take note of the information contained therein and consider establishing a subsidiary body to assist it in developing that guidance for consideration by the Conference of the Parties at its first meeting.

(c) Measures to reduce or eliminate releases from stockpiles and wastes (Article 6)

16. The Committee has before it the note by the secretariat on guidelines on persistent organic pollutant wastes and cooperation with the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal (UNEP/POPS/INC.6/8). Also provided are terms of reference outlining the scope of a consultant's work on draft technical guidelines on the environmentally sound management of persistent organic pollutants as waste (UNEP/POPS/INC.6/INF/13), a preliminary draft of the guidelines as reviewed by the twentieth session of the Basel Convention Technical Working Group (UNEP/POPS/INC.6/INF.14) and a report on clustering of multilateral environmental agreements dealing with chemicals and wastes prepared for the fourth meeting of the Open-Ended Intergovernmental Group of Ministers or Their Representatives on International Environmental Governance held from 30 November to 1 December 2001 in Montreal, Canada (UNEP/POPS/INC.6/INF/18). The Committee may wish to take note of the information contained in the above and consider welcoming the activities referred to therein and providing comments on cooperation among the respective bodies and secretariats of the Stockholm and Basel Conventions on matters relating to Article 6.

(d) Implementation plans (Article 7)

17. The Committee has before it the note by the secretariat on implementation plans (UNEP/POPS/INC.6/20). Also provided are the Global Environment Facility guidelines on enabling activities for persistent organic pollutants (UNEP/POPS/INC.6/INF/2), a guidance document on the preparation of a national implementation plan for persistent organic pollutants prepared by the World Bank (UNEP/POPS/INC.6/INF8), information on the status of funding for projects to develop national implementation plans by the Global Environment Facility (UNEP/POPS/INC.6/INF/15) and a report of the meeting of the expanded Interorganization Programme on the Sound Management of Chemicals on coordination among implementing and executing agencies for projects funded by the Global Environment Facility on the development of national implementation plans under the Stockholm Convention, held from 28 to 29 January 2002 in Montreux, Switzerland (UNEP/POPS/INC.6/INF/16). The Committee may wish to take note of the information contained in the above and consider establishing a process for developing the guidance called for in paragraph 1 (c) of Article 7 for consideration by the Conference of the Parties at its first meeting and developing and adopting interim guidance to assist countries in developing their implementation plans in the interim period.

- (e) Listing of chemicals in Annexes A, B and C (Article 8, Annexes D, E and F, and paragraph 6 of Article 19)

18. The Committee has before it the note by the secretariat on draft rules of procedure, composition and operational guidelines for the functioning of the Persistent Organic Pollutants Review Committee (UNEP/POPS/INC.6/11) and examples of technical subsidiary bodies established under the Committee or other intergovernmental bodies dealing with chemicals (UNEP/POPS/INC.6/INF/4). The Committee may wish to take note of the information contained therein and consider setting up a process to assist the Committee in developing recommendations on such draft rules of procedure, composition and operational guidelines for consideration by the Conference of the Parties at its first meeting.

- (f) Information exchange (Article 9)

19. The Committee has before it the secretariat note on the clearing-house mechanism for information exchange on persistent organic pollutants to be established in accordance with Article 9 (UNEP/POPS/INC.6/INF/7). The Committee may wish to take note of the information contained therein and provide comments on the work for the clearing-house mechanism proposed in the note.

- (g) Technical assistance (Article 12)

20. The Committee has before it the note by the secretariat on guidance on technical assistance for capacity-building relating to implementation of the Convention and guidance on technology transfer to assist countries to fulfil their obligations under the Convention (UNEP/POPS/INC.6/16). The Committee may wish to take note of the information contained therein and consider establishing a process for developing the guidance called for in paragraph 3 of Article 12 for consideration by the Conference of the Parties at its first meeting. In doing so, the Committee may also wish to consider using the implementation plans being prepared by countries under Article 7 as the basis for evaluating the specific needs of different regions and subregions regarding capacity-building and the transfer of technology required by developing country Parties and Parties with economies in transition in order to fulfil their obligations under the Stockholm Convention. The Committee may also wish to consider requesting the secretariat to undertake, in consultation with the secretariat of the Basel Convention as appropriate, a feasibility study on ways and means for establishing and the functioning of regional and subregional centres for capacity-building and transfer of technology and to develop and conduct, in cooperation with the secretariat of the Basel Convention and the Basel Convention regional centres, a pilot initiative of regional and subregional centres for the purpose of facilitating technical assistance in accordance with Article 12, subject to the availability of extrabudgetary resources.

21. The Committee has before it the note by the secretariat developed in collaboration with the secretariat of the Global Environment Facility on modalities for establishing a capacity-assistance network to support implementation of the Convention (UNEP/POPS/INC.6/19). Also provided are a feasibility study of a capacity-assistance network under the Stockholm Convention (UNEP/POPS/INC.6/INF/11) and information on the status of efforts in the interim period for capacity-building for implementation of the Convention (UNEP/POPS/INC.6/INF/17). The Committee may wish to take note of the information contained in the above and consider establishing a capacity-assistance network as well as the timing and modalities for doing so.

- (h) Financial resources and mechanisms (Article 13)

22. The Committee has before it the note by the secretariat on the financial mechanism (UNEP/POPS/INC.6/12). The Committee may wish to take note of the information contained therein and consider establishing a process for developing the guidance called for in paragraph 7 of Article 13 for consideration by the Conference of the Parties at its first meeting, developing guidance to assist the Conference of the Parties in its evaluation of the mechanism established under paragraph 6 of Article 13 and developing guidance to assist the Conference of the Parties in its decision on the institutional structure of the mechanism as required under Article 14.

23. The Committee has before it the note by the secretariat on collection of information from relevant funding institutions on available financial resources in addition to those provided through the Global Environment Facility (UNEP/POPS/INC.6/13). The Committee may wish to take note of the information contained therein and consider providing advice to the secretariat on the timing and the types of information to be collected and the funding institutions to contact, inviting Governments to provide to the Secretariat relevant information on ways in which their funding institutions might support the objectives of the Convention, inviting intergovernmental organizations, non-governmental organizations and other observers, as appropriate, to provide to the Secretariat relevant information on ways in which they can support the objectives of the Convention, and request the secretariat to begin collecting information from relevant funding institutions on ways in which they can support the Convention and to submit a preliminary draft report of the information received to the Committee for consideration at its next session

(i) Interim financial mechanism (Article 14)

24. The Committee has before it the note by the secretariat that contains a progress report prepared by the secretariat of the Global Environment Facility on its efforts to fulfil the function of principal entity of the interim financial mechanism established under Article 14 (UNEP/POPS/INC.6/INF/9). The Committee may wish to take note of the information contained therein and consider providing any comments or guidance to the Global Environment Facility to assist it in fulfilling this function.

(j) Reporting (Article 15)

25. The Committee has before it the note by the secretariat on format and timing of reporting by the Parties under Article 15 (UNEP/POPS/INC.6/9). The Committee may wish to take note of the information contained therein and consider preparing recommendations on the format and timing of such reporting for consideration by the Conference of the Parties at its first meeting. In so doing, the Committee may wish to consider the experiences and lessons learned under other relevant multilateral environmental agreements. For this purpose, the Committee may wish to request the secretariat to prepare a document that reviews the reporting obligations, processes and formats established under such agreements for consideration at its next session. Should the Committee request the secretariat to produce such a document, it may wish to request the secretariat to take into consideration reporting under other articles of the Convention.

(k) Effectiveness evaluation (Article 16)

26. The Committee has before it the note by the secretariat on arrangements to provide comparable monitoring data (UNEP/POPS/INC.6/10). The Committee may wish to take note of the information contained therein and consider the activities described in the note and then collect, generate assessment and monitor related data as a potential contribution to its work in this area, bearing in mind other related activities taking place. Should the Committee find that the ongoing work is a useful contribution towards arrangements to provide comparable monitoring data, the Committee may wish to endorse such activities and make recommendations that could further enhance their usefulness. The Committee may also wish to encourage countries and organizations that have not already done so to participate in these activities and to encourage donors to contribute financially to the creation and operation of the Global Network on the Monitoring of Persistent Organic Pollutants in the Environment.

(l) Non-compliance (Article 17)

27. The Committee has before it the note by the secretariat on non-compliance (UNEP/POPS/INC.6/17). The Committee may wish to take note of the information contained therein and initiate consideration of procedures related to non-compliance with the Convention. When considering this issue, the Committee may wish to call for comments from its members on the elements identified in the present note. The Committee may also wish to request the secretariat to develop a draft model for a procedure to handle cases of non-compliance with the provisions of the Convention based on work undertaken by other relevant international agreements and inputs received from members of the Committee for consideration at future sessions of the Committee or the first session of the Conference of the Parties, as the case may be.

(m) Settlement of disputes (Article 18)

28. The Committee has before it the note by the secretariat on settlement of disputes (UNEP/POPS/INC.6/18). The Committee may wish to review the draft rules on arbitration and conciliation contained therein and consider forwarding them with any amendments to the first meeting of the Conference of the Parties.

(n) Conference of the Parties (Article 19)

29. The Committee has before it the note by the secretariat on the draft rules of procedure for the Conference of the Parties (UNEP/POPS/INC.6/14). The Committee may wish to review the draft rules of procedure contained therein and consider forwarding them with any amendments to the first meeting of the Conference of the Parties.

30. The Committee has before it the note by the secretariat on the draft financial rules for the Conference of the Parties and any subsidiary bodies (UNEP/POPS/INC.6/15). The Committee may wish to review the draft financial rules contained therein and consider forwarding them with any amendments to the first meeting of the Conference of the Parties.

(o) Issues relating to the Stockholm Convention not covered above

31. The Committee may wish to consider other matters relating to the Stockholm Convention that delegations may raise that were not considered previously in the present annotated agenda.

(p) Other issues for consideration by the Conference of the Parties at its first meeting

(i) Location of the secretariat (Resolution 6 of the Conference of Plenipotentiaries)

32. The Committee has before it the note by the secretariat on the location of the secretariat (UNEP/POPS/INC.6/21.) The Committee may wish to consider the information contained therein and invite interested countries to provide detailed information on the conditions and advantages of their offers and request the secretariat to compile offers received and submit them to the Committee for consideration at its next session.

(ii) Liability and redress (Resolution 4 of the Conference of Plenipotentiaries)

33. The Committee has before it the note by the secretariat that contains information received from Governments on liability and redress (UNEP/POPS/INC.6/INF/5). The Committee may wish to take note of the information contained therein and consider welcoming the forthcoming workshop on liability and redress in the context of the Convention and expressing appreciation to the Government of Austria for hosting the workshop.

Item 6: Other matters

34. The Committee has before it the note by the secretariat on the status of signature and ratification of the Convention (UNEP/POPS/INC.6/INF/12). The Committee may wish to take note of the information contained therein and call upon countries and regional economic integration organizations entitled to do so to consider ratifying, accepting, approving or acceding to the Convention, if they have not already done so, with a view to bringing it into force as soon as possible.

35. The Committee may wish to consider other matters raised by delegations in the course of the session.

Item 7: Adoption of the report

36. At the final meeting of the session, the Committee will be invited to consider and adopt the draft report of the work of the sixth session as prepared by the Rapporteur. The final report of the work of the session, as adopted by the Committee, will be circulated.

Item 8: Closure of the session

37. It is expected that the session will be closed by the Chair by 6 p.m. on Friday, 21 June 2002.
