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

Seventh session

Geneva, 14-18 July 2003

Item 5 of the provisional agenda\*

**Preparations for the Conference of the Parties**

**REVIEW AND UPDATING OF NATIONAL IMPLEMENTATION PLANS\*\***

Note by the secretariat

1. In paragraph 1 of article 7, the Stockholm Convention on Persistent Organic Pollutants stipulates:

“Each Party shall:

“(a) Develop and endeavour to implement a plan for the implementation of its obligations under this Convention;

“(b) Transmit its implementation plan to the Conference of the Parties within two years of the date on which this Convention enters into force for it; and

“(c) Review and update, as appropriate, its implementation plan on a periodic basis and in a manner to be specified by a decision of the Conference of the Parties.”

2. At its sixth session, the Intergovernmental Negotiating Committee, in paragraph 2 (c) of its decision INC-6/6, requested the secretariat to prepare guidance relevant to the review and updating of national implementation plans for consideration by the Committee at its seventh session.

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\* UNEP/POPS/INC.7/1.

\*\* Stockholm Convention, article 7; report of the Intergovernmental Negotiating Committee on its sixth session (UNEP/POPS/INC.6/22), annex I, decision INC-6/6.

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3. In undertaking the above-mentioned request to prepare guidance relevant to the review and update of the national implementation plans required under article 7 of the Convention, the secretariat identified a number of issues that the Committee may wish to address before the relevant guidance is prepared. These issues include:

- (a) The timing or periodicity of the review and update. The need for such review and updating of the plan could result from:
  - (i) Major changes in national circumstances;
  - (ii) Major changes in obligations under the Convention, for example, resulting from an amendment of the Convention or the addition of a new chemical to annex A, B or C; or
  - (iii) Inability of the plan to enable the Party to meet its obligations.

Such review and update would be on an “as-needed” basis, rather than a “periodic” basis, as stated in paragraph 1 (c) of article 7. In deciding on the periodicity for review, the benefit from allowing a sufficient period for stability and predictability for those entrusted with implementation should be balanced with the advantages of providing an opportunity for stakeholders to reassess progress and to ensure that the implementation action was optimal;

(b) The process for the review and update: The process and format for the review and update should take into account the process and format used in the development of the initial national implementation plan developed by countries. These are described in the draft interim guidance to assist countries in the preparation of national implementation plans, provided in background document UNEP/POPS/INC.7/INF/20 and discussed in document UNEP/POPS/INC.7/9. The guidance should be amended to reflect any variation in that process and format. The eligibility of review and update activities for support from the financial mechanism will need to be clarified.

#### Possible action by the Committee

4. The Committee may wish:

- (a) To consider the elements outlined in paragraph 3 above;
- (b) To provide guidance to the secretariat on the issue of periodicity;
- (c) To request Governments and observers to provide additional comments on these elements by 31 December 2003; and
- (d) To request the secretariat, taking into account the comments received in response to the measures suggested in paragraphs (b) and (c) above, to develop draft guidance on the review and updating of national implementation plans for consideration and possible decision by the Conference of the Parties at its first session.

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