



Distr.: General
27 January 2005

Original: English



**United Nations
Environment
Programme**

**Conference of the Parties of the Stockholm
Convention on Persistent Organic Pollutants
First meeting**
Punta del Este, Uruguay, 2–6 May 2005
Item 6 (d) of the provisional agenda*

**Matters for consideration or action by the Conference
of the Parties: implementation plans**

Review and updating of national implementation plans**

Note by the Secretariat

1. Paragraph 1 (c) of Article 7 of the Stockholm Convention on Persistent Organic Pollutants states that each Party shall: “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 for an International Legally Binding Instrument for Implementing International Action on Certain Persistent Organic Pollutants, 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 Intergovernmental Negotiating Committee at its seventh session.
3. In response to the above request, the Secretariat identified possible elements of guidance relevant to the review and updating of national implementation plans. Those elements are outlined in paragraph 3 of document UNEP/POPS/INC.7/10.
4. At its seventh session, the Intergovernmental Negotiating Committee, in its decision INC-7/7, noted the above elements of guidance and requested the Secretariat to develop, for consideration and possible decision by the Conference of the Parties at its first meeting, draft guidance for a review and

* UNEP/POPS/COP.1/1.

** Stockholm Convention, Article 7; Report of the Intergovernmental Negotiating Committee for an International Legally Binding Instrument for Implementing International Action on Certain Persistent Organic Pollutants on the work of its sixth session (UNEP/POPS/INC.6/22), annex I, decision INC-6/6; Report of the Intergovernmental Negotiating Committee on the work of its seventh session (UNEP/POPS/INC.7/28), annex I, decision INC-7/7.

updating process that could be triggered by major changes in national circumstances, changes in obligations under the Convention, or if the existing plans proved to be insufficient, during practice.

5. In response to the above request, the Secretariat prepared draft guidance for the review and updating of national implementation plans, which is contained in the annex to the present note. The draft guidance takes into account comments received from Governments, which are compiled in document UNEP/POPS/COP.1/INF/14.

Possible action by the Conference of the Parties

6. The Conference may wish to:

(a) Consider and adopt with any amendments the draft guidance for the review and updating of national implementation plans contained in the annex to the present note;

(b) Request the financial mechanism of the Convention, recognizing the importance of national implementation plans to a Party's ability to implement its obligations under the Convention, to support the regular review and updating of national implementation plans in accordance with the guidance adopted under subparagraph (a) above.

Annex

Draft guidance for the review and updating of national implementation plans

Introduction

1. Each Party to the Stockholm Convention is required to develop and endeavour to implement a plan for the implementation of its obligations under the Convention. In accordance with paragraph 2 (b) of Article 7 of the Convention, a Party's implementation plan is to be transmitted to the Conference of the Parties within two years of entry into force of the Convention for that Party. A Party's initial plan will reflect the initial obligations of the Convention and will address the twelve persistent organic pollutants listed in Annexes A, B and C of the Convention. The implementation plan could be expected to reflect for a Party:

- (a) its assessment of its persistent organic pollutants problem, based on surveys, monitoring and inventories;
- (b) the obligations of the Convention applicable at that time;
- (c) its priorities in addressing the persistent organic pollutants problem, taking into account broader social and economic priorities;
- (d) its program for achieving sustainable development; and
- (e) its institutional arrangements and available infrastructure

2. For all Parties, the development of the implementation plan is a substantial investment that outlines the objectives, the activities to be undertaken, the responsibilities of the stakeholders, and the timeframe for achieving results. While the implementation plan should be flexible, in that it can accommodate changes in priority and progress, the overall framework should be stable enough to provide long-term planning and commitment.

I. Need for Review and Update

3. It is unlikely that the factors outlined in paragraph 1 above will remain static over time, and the implementation plan will need to be updated to reflect changes. The factors that could trigger such a review and update could be internal to the Party or external to the Party:

- (a) The external factors include:
 - (i) changes in obligations arising from amendments to the Convention or its annexes, including the addition of chemicals to Annexes A, B or C;
 - (ii) decisions of the Conference of the Parties that may affect how Parties implement Convention obligations, including adoption of guidance or guidelines;
 - (iii) changes in the availability of technical or financial assistance;
 - (iv) changes in access to infrastructure external to the Party (e.g., disposal facilities).
- (b) The internal factors include:
 - (i) Reporting under Article 15 of the Convention indicates that the Party's implementation plan is not adequate;

- (ii) National priorities have changed;
- (iii) National circumstances have changed significantly (e.g., infrastructure or institutional arrangement);
- (iv) Inventories of persistent organic pollutants, after improvement or updating, indicate a change in the scope of the problem to be addressed.

4. Regarding the internal factors that could trigger the need for review and updating of a Party's implementation plan, in assessing whether or not to do so, consideration should be given to the previous investment in developing the implementation plan, the involvement and commitment of stakeholders in the process, the actual period of implementation and the effectiveness of the implementation.

II. Process of the review and updating

5. For those changes in the obligations under the Convention due to amendments to the Convention or its annexes referred to in paragraph 3 (a) (i) above, a Party will review and update their implementation plan and within two years of the entry into force of the amendment for it, transmit its updated plan to the Conference of the Parties consistent with paragraph 1 (b) of the Convention.

6. For those factors listed in paragraph 3 above, with the exception of subparagraph (a) (i), that may trigger a review and update of a Party's implementation plan, a Party may notify the other Parties to the Convention through the clearing-house mechanism of its intent to review and update its implementation plan.

7. Funding to support the review and updating of implementation plans for those Parties eligible to receive such funding should be sought through the financial mechanism of the Convention.

8. The process and format for the review and update could be based on the interim guidance contained in document UNEP/POPS/COP.1/INF/13 that was developed to assist countries in the preparation of national implementation plans.
