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Item 6 (j) of the provisional agenda*

**Matters for consideration or action by the Conference
of the Parties: effectiveness evaluation**

Effectiveness evaluation**

Note by the Secretariat

1. The issue of effectiveness evaluation is addressed in Article 16 of the Stockholm Convention on Persistent Organic Pollutants. Thus, paragraph 1 of that article states:

“Commencing four years after the date of entry into force of this Convention, and periodically thereafter at intervals to be decided by the Conference of the Parties, the Conference shall evaluate the effectiveness of this Convention.”

Paragraph 2 states:

“In order to facilitate such evaluation, the Conference of the Parties shall, at its first meeting, initiate the establishment of arrangements to provide itself with comparable monitoring data on the presence of the chemicals listed in Annexes A, B and C as well as their regional and global environmental transport.”

Further provisions related to effectiveness evaluation are stipulated elsewhere in the article.

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 its decision INC-6/17, requested the Secretariat to begin to address the environmental monitoring and evaluation needs as described in Article 16 of the Convention and in doing so to:

* UNEP/POPS/COP.1/1.

** Stockholm Convention on Persistent Organic Pollutants, Article 16; Conference of Plenipotentiaries on the Stockholm Convention, resolution 1, paragraph 4; 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 -6/17; Report of the Intergovernmental Negotiating Committee on the work of its seventh session (UNEP/POPs/INC.7/28), annex I, decision INC-7/12.

- (a) Develop guidance on the nature of the effectiveness evaluation;
- (b) Identify the basic data needed to support the effectiveness evaluation;
- (c) Assess the capacity of existing monitoring programmes to make available necessary monitoring data and then begin making arrangements for the provision of comparable monitoring data for the effectiveness evaluation. Such assessment could be facilitated by continuing the work initiated by UNEP Chemicals for the substances listed in annexes A, B, and C to the Convention;
- (d) Identify where suitable monitoring data are not available;
- (e) Compile guidance for the collection of data and, subject to the availability of additional external funding, test the guidance by developing a pilot project in one or more regions;
- (f) Facilitate arrangements to obtain appropriate monitoring information on annexes A, B, and C substances for regions where such information would not otherwise be available, taking into consideration that cost effectiveness in other regional evaluations has been achieved by using a tiered approach (e.g. one which centralizes the most advanced laboratory capacity at regional nodes); and
- (g) Report on progress to the Committee at its seventh session.

3. In response to the above request, the Secretariat prepared a progress report, which was presented to the Intergovernmental Negotiating Committee at its seventh session, in document UNEP/POPS/INC.7/20.

4. In its decision INC-7/12, the Intergovernmental Negotiating Committee requested the Secretariat to take into account the comments given by the Committee and prepare a report on effectiveness evaluation of the Stockholm Convention, including possible arrangements, for consideration and decision by the Conference of the Parties at its first meeting, in order to provide the Conference of the Parties with comparable monitoring data on the presence of the chemicals listed in Annexes A, B and C as well as their regional and global transport.

5. In response to the request referred to in the previous paragraph, the Secretariat has prepared the following for consideration by the Conference of the Parties:

- (a) Report on effectiveness evaluation, contained in annex I to the present note; and
- (b) Proposal for the establishment of arrangements to provide the Conference of the Parties with comparable monitoring data, contained in annex II to the present note.

6. UNEP Chemicals has developed guidance for a global monitoring programme on persistent organic pollutants that is contained in document UNEP/POPS/COP.1/INF/23.

7. UNEP Chemicals has developed and is maintaining a global inventory of laboratories for persistent organic pollutants that can be found at www.chem.unep.ch/gmn/gmnlabs/default.htm. The first edition of the inventory is contained in document UNEP/POPS/COP.1/INF/24.

Possible action by the Conference of the Parties

8. The Conference of the Parties may wish to:

- (a) Consider the effectiveness evaluation report contained in annex I to the present note;
- (b) Request the Secretariat to develop draft elements of a process to assist the Conference of the Parties in evaluating the effectiveness of the Convention for consideration at its second meeting;
- (c) Note the guidance for a global monitoring programme for persistent organic pollutants contained in document UNEP/POPS/INF/23;
- (d) Note the first edition of a global inventory of persistent organic pollutants laboratories contained in document UNEP/POPS/COP.1/INF/24;
- (e) Agree to initiate the establishment of arrangements to provide itself with comparable data on which to base its evaluation on the effectiveness of the Convention, as outlined in annex II to present note, with any amendments;

(f) Request the Secretariat to field-test the monitoring arrangements in Parties on a national or regional basis, as proposed in annex II to the present note.

Annex I

Effectiveness evaluation report

A. Introduction

1. The evaluation of the effectiveness of policies that are implemented to reduce the impacts of chemicals on environmental and health parameters is complex, and can involve the monitoring of health and environmental parameters that is very intricate, costly and long term. The cause-effect correlations are hard to measure, and observable changes are often delayed. A more practical approach often adopted is to evaluate the changes in the factors causing the effects (e.g., the presence of substances), the development and implementation of management policies to control them, and the levels in the environment. Such evaluations may be done at the national level for problems of a limited nature or at the regional or global level for cross-boundary pervasive types of problems.

B. Effectiveness evaluation under the Stockholm Convention

2. The objective of the Stockholm Convention is to protect human health and the environment from persistent organic pollutants (POPs). The Convention requires Parties to adopt and implement measures aiming at reducing or eliminating the release of POPs into the environment with the view to reducing the exposure of human, animals and environmental organisms to them. The Parties to the Convention will each elect to apply a number of policy measures that will contribute to the reduction or elimination of POPs releases, and these measures will vary from country to country reflecting the differing country situations and POPs problems. It is expected that the applied measures in total will reduce POPs releases with consequent benefits to health and the environment but it will be difficult to link any single measure to a particular benefit.

3. The effect of implementing the Convention will be the result of the individual measures undertaken by Parties. It is therefore useful to find approaches for determining whether the combination of these measures is providing, at the aggregate level, timely improvement of the situation prevailing before the Convention entered into force. This is particularly important because the Stockholm Convention does not require the immediate ban of all substances.

4. Article 16 of the Convention requires that the Conference of the Parties (COP) periodically review the effectiveness of the Convention: this review will enable the COP to assess whether Convention requirements are adequate. It will provide indications of whether additional measures, activities or projects should be undertaken to complement or improve the Convention and help in meeting its objective.

C. Information to be used in the evaluation

5. As indicated in paragraph 3 of Article 16 of the Convention, the evaluation shall be conducted on the basis of available scientific, environmental, technical and economic information, including:

- (a) Reports and other monitoring information provided pursuant to paragraph 2 of Article 16;
- (b) National reports submitted pursuant to Article 15; and
- (c) Non-compliance information provided pursuant to the procedures established under Article 17.

6. Monitoring data on the presence in the environment of the POPs listed in annexes A, B and C of the Convention can be collected from existing national and international monitoring programs through a global network using applicable standards and guidelines to ensure comparability of data. A proposal for such a network is included in annex II of the present note.

7. Parties to the Convention will provide, pursuant to Article 15, national reports containing information on measures taken by Parties to implement the provisions of the Convention and on the effectiveness of these measures in meeting the objectives of the Convention.

8. Information pertaining to non-compliance information will be gathered pursuant to Article 17, following the development by the Conference of the Parties of procedures and institutional mechanisms for determining non-compliance.

9. Regarding the former, the Secretariat has initiated work to identify opportunities for arrangements for providing the monitoring information. An early step was the convening of a workshop for experts to develop guidance on for a global monitoring programme for persistent organic pollutants. The subsequent work reflects the requirements of Article 16, and the recommendation of the workshop that existing monitoring programmes and mechanisms should be used to the extent possible. The following existing programmes have been identified and agreements are being arranged with them: Global Environmental Monitoring System (food and water); Arctic Monitoring and Assessment Programme; Cooperative Programme for Monitoring and Evaluation of the Long-Range Transmission of Air Pollutants in Europe; and several of the regional seas programmes. Efforts are under way to identify more such programmes for future linkages.

D. Modalities for bringing together and evaluating the information

10. Regarding monitoring data, efforts will be made to make use of data from existing programmes that will be complemented by new data collection activities when necessary. Annex 2 provides recommendations for obtaining this information.

11. The Convention does not indicate how or by whom the reports will be prepared, except that it is to be a responsibility of the COP to initiate the establishment of the arrangements and to receive the reports. Four options are listed below for consideration:

(a) Option 1: the COP establishes an Evaluation Panel that receives national reports and non-compliance information from the Secretariat and global monitoring information from a global coordinating group (GCG) as proposed in Annex II. The Panel makes the evaluation and provides its report to the COP.

(b) Option 2: the COP establishes two panels. The first reviews the national reports and non-compliance information provided by the Secretariat. The second reviews the monitoring data from the GCG. Both panels report directly to the COP to enable the COP to integrate and assess the information.

(c) Option 3: the secretariat compiles information on national reports and non-compliance, as well as any monitoring reports from the GCG and provides this information to the COP.

(d) Option 4: the COP broadens the mandate of the GCG to carry out the full scope of effectiveness evaluation by integrating the monitoring reports with national reports and non-compliance information provided by the secretariat.

E. Timing of the evaluation process

12. Reports to the COP on monitoring are required at intervals to be specified by the COP. Although the first effectiveness evaluation is not scheduled before four years after the Convention entry into force, the first monitoring report must be produced within that timeframe to contribute to that evaluation. Further, the first global monitoring report will need to reflect the results of global data collection and the assessment of that data.

F. Evaluation criteria

13. The COP will need to determine the criteria by which it gauges effectiveness. As indicated above, the criteria might include reductions in:

- (a) Levels of POPs in the environment and people;
- (b) The need for exemptions for on-going use of POPs under the Convention; and
- (c) Levels of POPs in the environment.

14. Other criteria could be identified by the COP.

Annex II

Proposal for arrangements to provide the Conference of the Parties of the Stockholm Convention with comparable monitoring data on the presence of the chemicals listed in Annexes A, B and C of the Convention¹

1. A global monitoring programme on POPs (GMP) could be established to link together existing national, regional and global activities on monitoring and provide recommendations for the elements to be contained within such a global programme.
2. The objective of such a global monitoring programme would be to “provide a harmonized organizational framework for the collection and assessment of comparable monitoring data on the presence of the chemicals listed in Annexes A, B and C of the Stockholm Convention in order to identify temporal and, as appropriate, spatial trends as well as to provide information on their regional and global environmental transport”.
3. The Conference of the Parties of the Convention has the responsibility for establishing the arrangements to obtain necessary information on environmental levels, but it is the Parties who bear responsibility for implementation. Article 16 points towards regional implementation and to the use of existing programmes to the extent possible.
4. In many countries and regions the capacity and capability to participate fully in such a programme is lacking. Capacity-building and transfer of technology and know how is needed to improve the situation.

I. General principles

5. In developing the global persistent organic pollutants monitoring programme, a number of general principles have been applied and the main ones are listed below:
 - (a) The programme should strive for simplicity and, to the extent possible, should build on existing programmes to meet present and future needs. It should encourage flexibility, which is the ability to evolve over time in order to respond to the needs of the Convention while maintaining comparability;
 - (b) Differences in capacity within and between regions provide opportunities for regional capacity-building focused to ensure a capability to detect regional trends. In order to make the GMP into a regional reality, capacity-building will be a crucial aspect for implementation. In keeping with the regional approach proposed for the GMP, capacity-building under this programme should include the following elements where needed:
 - (i) institutional capacity, ensuring long-term sustainability of monitoring efforts;
 - (ii) laboratory and technological capacity; and
 - (iii) human capacity, comprising professional and technical expertise;
 - (c) Only the chemicals contained in Annexes A, B and C of the Convention are considered in the context of Article 16. The environmental levels of the annex substances will be measured primarily in order to detect changes over time, which is essential for effectiveness evaluation. The focus is therefore upon background levels of persistent organic pollutants at locations not influenced by local sources;

¹ This proposal is based on recommendations provided by a UNEP workshop to develop a global persistent organic pollutants monitoring programme to support the effectiveness evaluation of the Stockholm Convention, held from 24 to 27 March 2003 in Geneva, Switzerland, and UNEP organized expert meetings to develop recommendations and guidance for obtaining such comparable monitoring data to support the effectiveness evaluation of the Stockholm Convention held in October 2003 in Geneva and May 2004 in Geneva.

(d) It is essential to be inclusive and transparent in all aspects of the programme design, conduct and in the assessment process. Failure to do so risks a lack of confidence and interest in the final reports;

(e) The environmental monitoring component of effectiveness evaluation (Article 16, paragraph 2) is not intended to address: issues of compliance; preparation of dossiers for substances that may be proposed for addition to the Annexes; hot spot detection and evaluation; or specific issues of scientific understanding.

II. Outline of the strategy for the assessment

6. As set out in Article 16, it is proposed that the GMP comprise “regional” and “global” organizational elements. Regional information gathering and assessments would be planned, organized, and implemented on a regional basis following an agreed global framework

7. Global element: It is recommended that the Conference of the Parties establish a subsidiary body that could be called the Global Coordinating Group (GCG) to oversee all elements of the GMP.

8. The GCG, or any subgroup reporting to it, may also make recommendations on the divisions into regions for purposes of the monitoring arrangements, if not already decided upon by the Conference of the Parties.

9. Regional assessments, again following an agreed global format, would provide the basis for a global assessment report. A diagrammatic representation of the organizational structures and arrangements suggested in this section is presented in figure 1 below, in a chronological order to illustrate the roles to be performed over time.

III. Regions

10. Three considerations that could assist in deciding on the regional divisions were identified:

- (a) Use existing regional structures rather than creating new divisions because they:
 - (i) Already possess organizational support; and
 - (ii) Afford better opportunities for capacity-building and technology transfer within and between regions;

(b) A structure with a limited number of regions would be simpler to administer. Subregional arrangements that take into account linguistic, political and geophysical considerations could be introduced to further support the organization of the work;

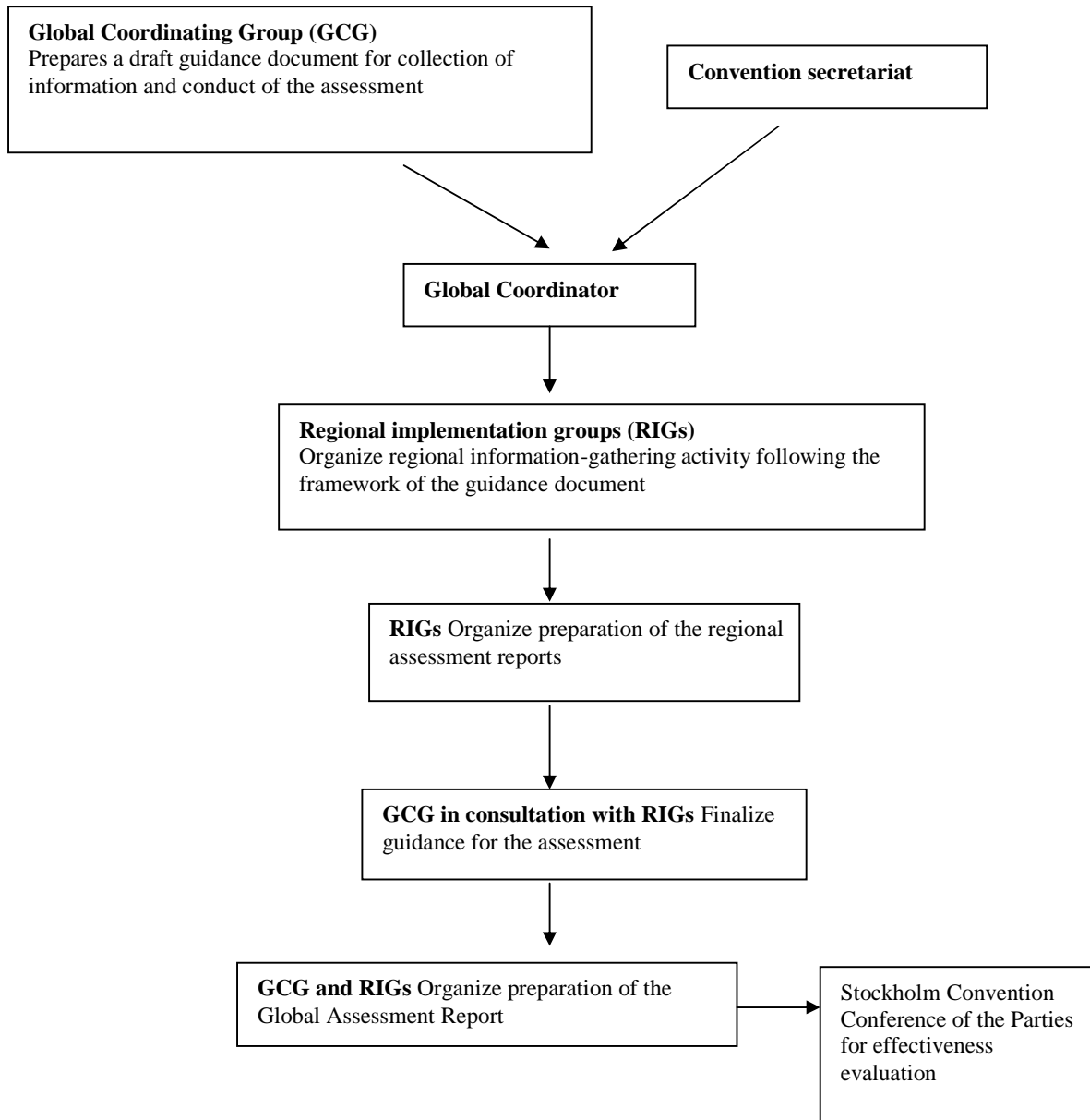
(c) Special arrangements would be required with pre-existing programmes if these programmes have a different regional system from the one to be adopted for the GMP.

11. Several options have been considered to provide the basic regional structure for the programme. The option proposed is for the adoption of a structure based on the five United Nations regions.

12. Figure 1 below includes a scheme for the organizational structure for regional assessments. It offers an optimal combination of using existing regional structures, which already possess organizational support, and affords opportunities for capacity-building and technology transfer within and between regions.

13. Within each region, all activities would be under the direction of a “regional implementation group” (RIG). Subregional arrangements that take into account linguistic, political and geophysical considerations could be introduced to support the organization of the work. Twinning and partnerships between regions would be encouraged

Figure 1: Proposed organization structure and activity flow leading to completion of the assessment reports



III. Global strategy for information gathering

14. Under the proposed scheme, a team of managers and experts from Parties, referred to here as the Global Coordinating Group (GCG), would provide oversight for the gathering and assessing of information on the environmental levels of persistent organic pollutants to be used for the effectiveness evaluation. The GCG duties would include, among other things:

- (a) Structuring the monitoring network;
- (b) Developing protocols for quality assurance and quality control (QA/QC), sample collection, and analytical methodologies;
- (c) Developing protocols for data archiving and accessibility;

- (d) Developing protocols for trend analysis methodologies;
- (e) Establishing the information needs and methodology of the regional and global environmental transport assessment;
- (f) Establishing the criteria for composition of the RIGs (see below);
- (g) Maintaining interaction with all the RIGs; and
- (h) Developing elements to encourage capacity-building.

IV. Regional strategy for information gathering

15. The regions would be the operational units for data and information gathering, analysis, and assessment. A regional implementation group (RIG) would be established in each region to be responsible for implementing the global guidance document within that region, taking into account regional realities. The duties of RIGs would include, among other things:

- (a) Establishing their membership;
- (b) Structuring of the regional monitoring network;
- (c) Organizing sampling and analytical arrangements;
- (d) Ensuring compliance with protocols for QA/QC, sample collection, analytical methodologies; data archiving and accessibility; and for trend analysis methodologies;
- (e) Maintenance of interaction with the GCG and with other RIGs as appropriate;
- (f) Developing elements to encourage capacity-building; and,
- (g) Identifying where existing suitable monitoring data are and are not available. Two important tools are the Regionally Based Assessment of Persistent Toxic Substances, and the fifth edition of the Master List of Actions on the Reduction and/or Elimination of Releases of Persistent Organic Pollutants.

16. The final products of the RIG under this element would be an operational regional monitoring programme and a regional assessment report. The regional reports would serve two purposes. Individually they would inform the Conference of the Parties on regional levels of persistent organic pollutants and collectively, they would provide the technical basis for completion of the global assessment (to be organized by the GCG).

V. Global strategy for regional and global assessment activities

17. It is anticipated that the final product of the GMP would be a compendium of regional assessment reports, one for each region, together with a global overview report. Under the proposed scheme, they would be produced as set out below.

A. Regional assessments

18. Each RIG would oversee the production of a substantive regional assessment prepared by a drafting team of experts selected by the RIG for that particular region. These assessments would be the main means by which the Conference of the Parties would be informed of the regional trends and transport of persistent organic pollutants in the environment.

B. Global assessments

19. The global report would be produced by a drafting team of experts under the purview of the GCG. The team should also contain individual experts drawn from the writing teams of the regional assessments.

C. Global and regional guidance for the assessment reports

20. It is envisaged that when the Conference of the Parties has approved the arrangements for the GMP, the GCG in consultation with the RIGs would produce a supplement to the Guidance Document, which would elaborate detailed guidance for the preparation of the regional and global assessment reports. It would include, among other things:

- (a) A common strategy for the completion of the regional, and global assessments;
- (b) An annotated structure for each type of report (regional, global, and environmental transport);
- (c) An outline of the accountabilities and responsibilities for those involved in the assessment; and,
- (d) The information needs, proposed methodology, and expected deliverables of the regional and global environmental transport assessment.

21. It is suggested that when organizing and conducting the assessment process, the RIGs and the GCG would undertake arrangements to promote the following:

- (a) A clear understanding of data ownership. Intellectual property difficulties have arisen in other comparable programmes;
- (b) The importance of assurance of unencumbered access to data and to supportive information (e.g. age or gender of species from which samples may have been taken) required for the assessment;
- (c) A uniform understanding by all members of the assessment teams on the objectives of the task; and,
- (d) The necessity for clear accountabilities for those involved in the assessment (this is particularly important given the regionalization of the assessment process).

VI. Other information sources

22. Article 11 of the Convention is concerned with the conduct of research and monitoring aimed to improve the basic understanding of such characteristics as the sources, movement, fate, behaviour and toxicity of persistent organic pollutants in the environment. These activities can be conducted at any level of organization (e.g. national, regional or global), are not restricted to the substances listed in the Convention and are not formally linked to effectiveness evaluation. However, it is possible that information resulting from such activity could be of assistance in the preparation of the Article 16 assessments.

23. Article 16 does not specifically exclude countries that are not Parties to the Convention from contributing information. These countries would be encouraged to provide information that conforms to the framework described in this document. However, countries participating in this way would be “passive” contributors and would not be able to take part in decision-making, or be members of the writing team for the periodic assessments.

VII. Arrangements to address global and regional environmental transport

24. Paragraph 2 of Article 16 of the Stockholm Convention states that the arrangements to be established to provide the Conference of the Parties with comparable monitoring data on the presence of the chemicals listed in the annexes, should also inform it on their regional and global environmental transport. Therefore the GMP should also provide for this need. It is proposed that as soon as the Conference of the Parties has adopted the GMP, the GCG and the RIGs would develop a supplement to the Guidance Document which would describe a guidance framework for the transport elements of the assessment. This guidance would include a description of:

(a) The discrete objectives of Article 16. The GMP is not being established to provide a comprehensive understanding of the environmental behaviour of the chemicals listed in the Annexes of the Convention;

(b) What it is envisaged would be the optimal deliverables for the Conference of the Parties concerning the global and regional transport elements, bearing in mind budgetary constraints;

(c) What are the data, and the analytical and assessment tools required to support the optimal deliverables;

(d) The present capabilities of a variety of tools developed by the scientific community that can assist in demonstrating the long-range transport of persistent organic pollutants. Many involve models. Regional fate and transport models can aid in the analysis of the observational data generated by the GMP, in particular with respect to the quantification of regional and global transport. Other less demanding methods employ back trajectory analysis;

(e) Assessment of the existing extensive scientific research effort on the regional and global transport of persistent organic pollutants may be applied
