



Distr.: General  
30 November 2004

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 (k) of the provisional agenda\*

**Matters for consideration or action by the  
Conference of the Parties: non-compliance**

**Status report on development of procedures and institutional  
mechanisms for determining non-compliance with the  
Stockholm Convention\*\***

**Note by the Secretariat**

1. Article 17 of the Stockholm Convention on Persistent Organic Pollutants stipulates that the Conference of the Parties of the Convention shall, as soon as practicable, develop and approve procedures and institutional mechanisms for determining non-compliance with the provisions of the Convention and for treatment of Parties found to be in non-compliance.
2. The Conference of Plenipotentiaries on the Stockholm Convention invited the Intergovernmental Negotiating Committee for an International Legally Binding Instrument for Implementing International Action on Certain Persistent Organic Pollutants "... to focus its efforts during the interim period on those activities required or encouraged by the Convention that will facilitate the rapid entry into force and effective implementation of the Convention upon its entry into force, including, for consideration by the Conference of the Parties the development of: ... modalities and procedures relating to non-compliance ..." (UNEP/POPS/CONF/4, Appendix I, resolution 1, paragraph 4).

\* UNEP/POPS/COP.1/1.

\*\* Stockholm Convention, Article 17; Conference of Plenipotentiaries on the Stockholm Convention, resolution 1, paragraph 4; report of the Intergovernmental Negotiating Committee on its sixth session (UNEP/POPS/INC.6/22), Decision 6/18, and on its seventh session (UNEP/POPS/INC.7/28), paragraphs 126-131.

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3. Taking into consideration the above-mentioned request by the Conference of Plenipotentiaries, the Secretariat presented to the Intergovernmental Negotiating Committee, at its sixth session, a note outlining the issue of non-compliance within the provisions of multilateral environmental agreements and providing a summary of issues addressed in the development of such regimes for consideration by the Committee (UNEP/POPS/INC.6/17).

4. Upon consideration of the note submitted by the Secretariat and deliberations on the issue, the Committee adopted decision INC-6/18 on non-compliance (UNEP/POPS/INC.6/22, Annex I). The decision invited Governments and secretariats of multilateral environmental agreements to provide the Secretariat with their views on non-compliance and requested the Secretariat to prepare and submit to the Committee a report that would provide a compilation of views submitted and a synthesis of those views, and a report on existing non-compliance regimes under multilateral environmental agreements.

5. The Secretariat collected the views submitted by Governments and one regional economic integration organization. The range of views was synthesized in document UNEP/POPS/INC.7/21 and presented to the Intergovernmental Negotiating Committee at its seventh session together with the full text of comments, reproduced in document UNEP/POPS/INC.7/INF/8. As requested by the Committee, the Secretariat also prepared an overview of non-compliance regimes in multilateral environmental agreements (UNEP/POPS/INC.7/22), reflecting the study of procedures and institutional mechanisms for determining non-compliance contained in document UNEP/FAO/PIC/INC.7/10 that had been prepared for the Intergovernmental Negotiating Committee for the Rotterdam Convention, and containing an overview of current non-compliance regimes under several multilateral environmental agreements. At its seventh session, the Committee addressed the issue of non-compliance under the Convention in its deliberations and referred it to the first meeting of the Conference of the Parties (UNEP/POPS/INC.7/28, paragraphs 126–131).

### **Possible action by the Conference**

6. The Conference may wish to:

(a) Consider the work undertaken and documentation prepared under the interim arrangements for the Stockholm Convention referred to above; and

(b) Decide on further action to be taken with respect to development of procedures and institutional mechanisms for determining non-compliance with the provisions of the Convention.

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