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Item 5(d) of the provisional agenda\*

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

**Guidance for developing national implementation plans for the  
Stockholm Convention\*\***

**Note by the Secretariat**

1. The Conference of the Parties of the Stockholm Convention, at its first meeting, adopted decision SC-1/12 on national implementation plans.
2. In paragraph 1 of that decision, the Conference adopted the guidance for assisting countries in the preparation of national implementation plans set forth in document UNEP/POPS/COP.1/INF/13 and the text for inclusion in the guidance relevant to the requirements of the Rotterdam Convention set forth in document UNEP/POPS/COP.1/INF/13/Add.1. The complete text as adopted, with the inclusion of the text relevant to the requirements of the Rotterdam Convention, is reproduced in the annex to the present note.

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\* UNEP/POPS/COP.2/1.

\*\* Stockholm Convention, Article 7; report of the Conference of the Parties on the work of its first meeting, UNEP/POPS/COP.1/31, annex I, decision SC-1/12.



## **Annex**

### **Guidance for developing a NIP for the Stockholm Convention**

May 2005



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## Introduction

### 1.1 The Stockholm Convention

The Stockholm Convention on Persistent Organic Pollutants was adopted in May 2001 with the objective of protecting human health and the environment from persistent organic pollutants (POPs). It will enter into force 90 days after the submission of the fiftieth instrument of ratification. The full text of the Convention and its annexes is available on the UNEP web site <http://www.pops.int/>, under the heading "Convention text".

Parties<sup>1</sup> to the Stockholm Convention are required to develop national implementation plans (NIPs) to demonstrate how the obligations of the Convention will be implemented.

### 1.2 This document

During the negotiation of the Stockholm Convention on Persistent Organic Pollutants, UNEP Chemicals initiated a project funded by the Global Environment Facility (GEF) to assist 12 countries<sup>2</sup> with the development of their NIPs and to strengthen national capacities for managing POPs and meeting their obligations under the Convention. As a part of this project, the World Bank and UNEP Chemicals have prepared these technical guidelines for the development of NIPs.

The GEF Council adopted at its May 2001 meeting guidelines for the funding of POPs "enabling activities", including NIPs (GEF 2001 – Initial Guidelines for Enabling Activities for the Stockholm Convention on Persistent Organic Pollutants). The GEF 2001 guidelines are recommended for use by countries wishing to access GEF funding. They provide a general framework and suggest a five-step process for organizing the development of a NIP in a country<sup>3</sup>. They do not, however, provide a detailed description of how a particular activity should be implemented. This guidance document builds upon and complements the GEF guidelines. As the two documents operate on a different level, they are designed to complement each other and cannot in any way be in contradiction.

This document has been developed to provide guidance to countries and assist them in the process of developing a NIP. It is made clear in the Convention that NIPs should be developed to address the specific needs of each Party and this guidance is offered only as one way of meeting the requirement to develop a NIP. It is therefore not intended to be prescriptive and should be used, in whole or in part, when a Party feels it will contribute to the successful development of a NIP. The current version has been drafted with special attention to the needs of developing countries requiring specific guidance to start implementing the Convention.

The initial draft of this guidance document was developed with the financial support of Danish Cooperation for Environment and Development (DANCED) and has been reviewed by an international panel composed of representatives of the United Nations Environment Programme (UNEP), the United Nations Institute for Training and Research (UNITAR), the United Nations Development Programme (UNDP), the Food and Agriculture Organization of the United Nations (FAO), UNIDO, the World Bank, the World Wildlife Fund (WWF), the World Chlorine Council (WCC) and the Governments of Chile, Denmark, Sweden, Switzerland and Zambia. The document will be further revised as needed to take account of issues arising during its use in the field.

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<sup>1</sup> "Parties" may include a State or regional economic integration organization that has consented to be bound by the Convention and for which the Convention is in force.

<sup>2</sup> Barbados, Bulgaria, Chile, Ecuador, Guinea Conakry, Lebanon, Malaysia, Mali, Micronesia, Papua New Guinea, Slovenia and Zambia.

<sup>3</sup> As of May 2002, GEF had approved proposals from 55 developing countries and countries with economies in transition based on its 2001 guidelines.

The document has been revised to include specific guidance relevant to the implementation of the Rotterdam Convention. While there are differences between the Rotterdam and Stockholm Conventions, there are also close complementarities between them. Because the listing process under the Rotterdam Convention flows in part from final regulatory actions by Parties, it may be expected that at least some of the chemicals listed under the Stockholm Convention will be listed first under the Rotterdam Convention. Many chemicals are already listed under both Conventions. In national actions to implement the two Conventions it will be important to consider these closely related sets of obligations and procedures in an integrated manner to ensure complementarity and avoid duplication and overlap.

In view of the complementarity of the Rotterdam and Stockholm Conventions countries are encouraged to consider their obligations under the Rotterdam Convention when developing their national implementation plans for the Stockholm Convention. In order to facilitate this references have been inserted in the relevant sections of this document.

### **1.3 Timeline**

Each Party must transmit its NIP to the Conference of the Parties within two years of the date on which the Convention enters into force for the Party.

The process described in this document is designed to be completed within two years, although it may be completed in a shorter period.

For Parties developing NIPs in advance of the entry into force of the Convention, the timeline can be extended.

### **1.4 Structure and use of this guidance document**

Section 1 of this document gives basic background information. Section 0 sets out general principles that help to guide the compilation of the NIP. Section 0 sets out the basic obligation under the Stockholm Convention to develop a NIP.

Sections 0 to 0 describe the phases of the NIP development process, giving guidance on the objectives of each phase, the outcomes, the tasks to be undertaken and the method applied and summarizing available guidance material which may be useful.

Throughout the text, “hyperlinks”<sup>4</sup> are used to take the reader to more detailed information on elements of the process or details of particular aspects of the technical work required.

Each section lists guidance and reports which may be useful in compiling a NIP. Complete guidance is not available as yet, however, and countries should contact UNEP to check for any additional guidance that becomes available.

## **2. General principles**

This guidance has been compiled taking account of the following issues, which are considered important to the successful development of a NIP:

- A NIP should be tailored to meet the needs of the Party developing it, should be suitable for use by the Party to meet the obligations of the Stockholm Convention and must be submitted to the Conference of the Parties.
- The development of a NIP should build on existing work and assessments where they are available and should not “reinvent the wheel”.
- NIPs should not be developed in isolation but should take due account of the aims of sustainable development in the sense of socially, economically and environmentally appropriate policies and actions to maximize the overall benefits they produce.<sup>5</sup> They should be linked to related initiatives where possible to

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<sup>4</sup> Hyperlinks automatically link to other parts of this document or to electronic resources, e.g., on the world wide web, when the document is viewed on a computer.

<sup>5</sup> For example, a NIP should be well integrated with national environmental action plans or environmental strategies.

ensure maximum efficiency and reduce duplication of effort<sup>6</sup>.

- In view of the similarities with aspects of the Rotterdam Convention, for example concerning the import and export chemicals, countries are encouraged to consider the requirements of the Rotterdam Convention when developing their NIP.
- The Convention places obligations on Parties with respect to 12 chemicals. However, a procedure exists for adding further chemicals to the Convention. It is therefore important that the NIP be able to respond to the listing of new chemicals for which a Party would assume obligations.
- This guidance should be used in conjunction with the Convention text and annexes and does not substitute for a legal interpretation of the text or a point-by-point analysis of the measures required in a particular country.

### 3. National implementation Plans

The Convention requires the development of national implementation plans as detailed below.

#### 3.1 Obligation – contained in Article 7 of the Convention

Article 7 of the Convention states:

- “1. 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. The Parties shall, where appropriate, cooperate directly or through global, regional and subregional organizations, and consult their national stakeholders, including women’s groups and groups involved in the health of children, in order to facilitate the development, implementation and updating of their implementation plans.
3. The Parties shall endeavour to utilize and, where necessary, establish the means to integrate national implementation plans for persistent organic pollutants in their sustainable development strategies where appropriate.”

#### 3.2 Outputs

A NIP that meets the obligations of the Stockholm Convention in a manner consistent with the needs and priorities of the Party and resources available to the Party.

Since the NIP will reflect the circumstances found in each country, it is not possible to specify exactly the level of detail needed in every case. However, this document proposes an outline of recommended NIP elements (see annex 5) that may be used by Parties as a basis for the preparation of a NIP that is tailored to their needs and suitable for submission to the Conference of the Parties.

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<sup>6</sup> Consider, for example, data gathered and assessments made under regional agreements and projects and projects such as the GEF-funded Regionally Based Assessment of Persistent Toxic Substances (<http://www.chem.unep.ch/pts/default.htm>).

### 3.3 Primary responsibility

A “national lead agency” (NLA) would be designated to take responsibility for setting up the structure and mechanism to develop the NIP.

In the structure outlined here, the NLA would set up a stakeholder committee and an executive unit, which would draw on experts and task teams to complete the work. Experts might be from the country or other countries, as appropriate.

### 3.4 Stakeholders – who and why

The POPs issue impacts on many sectors, including policy-making, law-making, environmental protection, agriculture, public health, industry and the private sector, the public and various interest groups. In order to make an effective and successful NIP, a wide range of stakeholders must be involved and engaged in the process. The following list indicates some of the main groups to consider:

- Government policy makers (ministers/politicians/heads of departments or ministries): needed to ensure that the POPs issue is accorded appropriate priority and adequate resourcing.
- Government officials: key staff from Government departments and agencies able to coordinate necessary input and responsible for actions included in the NIP.
- Government officials responsible for the Rotterdam Convention or other relevant international environmental agreements as a means of ensuring coordination.
- Non-governmental organizations: relevant environmental and nature conservation organizations, academics, social organizations, women’s groups and industrial, commercial, agricultural and labour organizations such as trade unions, all of which may play a role in or be affected by the use, manufacture and trade of POPs and alternative chemicals.
- Regional economic integration zone partners, since POPs can have effects across boundaries and measures to regulate POPs may affect trade or need to be coordinated with other countries.
- International environmental organizations (in particular the GEF executing agencies responsible for NIP development, i.e., UNEP, UNDP, the World Bank and, for the purpose of enabling activities under the Stockholm Convention, also the United Nations Industrial Development Organization (UNIDO), FAO and the World Health Organization (WHO)) to provide guidance and assistance.

## 4. NIP Development - Summary of Phases

The process of developing a NIP can be subdivided into five phases<sup>7</sup>:

1. Establishment of a coordinating mechanism and a process organization;
2. Establishment of POPs inventories and assessment of national infrastructure and capacity;
3. Priority assessment and objective setting;
4. Formulation of the NIP;
5. Endorsement and submission of the NIP.

The following sections of this document consider each phase, detailing a possible series of objectives, tasks and actions to be taken by identified individuals and groups to

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<sup>7</sup> In this document, the process is broken into “phases”. Elsewhere, the term “steps” has been used. The “steps” described in the GEF enabling guidelines and the “phases” described here are equivalent.

complete each phase of the process. A schematic diagram of the process is provided in Annex 7.

The five phases of the NIP development process may be particularly useful for developing countries and countries with economies in transition to assist them in their efforts to prioritize their financial and technical assistance needs as well as in getting organized to meet the obligations of the Convention. Annex 5: "Recommended elements for consideration in outline of NIP", may be relevant to all countries in preparing comparable plans.

## **5. Phase I – Establishment of Coordinating Mechanism and Process Organization**

The successful development of a NIP requires that an effective project planning and management structure be put in place. Success is likely to depend on both an effective executing body responsible for the development of the NIP as well as a means to engage with a wider group of stakeholders. Phase I lays out steps and one possible mechanism to provide a firm base from which to develop the NIP.

### **5.1 Objective**

To raise awareness within Government departments, ministries and agencies of the POPs issue, the Stockholm Convention and the need to develop a NIP.

To begin the process of raising awareness of POPs issues with stakeholders outside Government.

To achieve sufficient political commitment to allow the successful development of the NIP.

To establish a mechanism for planning, managing and supervising the development of the NIP consisting of an effective executing group and a mechanism to involve all relevant stakeholders in particular building on work with other international environmental agreements such as the Rotterdam Convention.

To develop the structure, framework and procedures for the development of the NIP.

To produce a detailed project plan for the development of the NIP and gain the commitment of necessary expertise, resources and facilities to successfully establish the development phase "task team" (see Annex I).

To plan and initiate an information dissemination campaign.

### **5.2 Outcomes**

Input obtained from all relevant Government departments for the creation of the executive and review groups responsible for development of the NIP.

Mechanism for NIP development and stakeholder involvement established, including committees and teams necessary (see Annex I).

Agreement on plan for NIP development, with responsibilities and resources assigned.

Mechanism put in place for information dissemination to stakeholders and public as needed.

Identification of task teams to address particular aspects of the NIP development process.

### **5.3 Primary responsibility**

The establishment of a coordination and stakeholder input mechanism would be the responsibility of politicians and officials with responsibility for policy on multilateral environmental agreements, in particular the national Stockholm Convention focal point and those involved in negotiating the Stockholm Convention.

Project planning would be the responsibility of a project coordination unit (PCU).

## 5.4 Stakeholders – who and why

Politicians/Ministers with responsibility for international environmental agreements must be involved to encourage coordinated implementation with other relevant international environmental agreements such as the Rotterdam Convention and to ensure appropriate high-level commitment. In addition, these stakeholders may need to seek further commitment from legislative bodies.

As appropriate, other government and non-governmental officials responsible for the implementation of international environmental agreements such as the Rotterdam Convention, as well as the specific areas listed below, should be involved or consulted.

- Environment: likely to have a leading role in overall management and coordination of the NIP and responsibility for environmental issues including waste management.
- Finance: necessary to secure the required financial commitment to development and implementation of the NIP and to take into account potential impacts on the economy.
- Agriculture: responsible for POPs pesticide use; impacted by requirements on residues in food products.
- Industry: affected by regulations on production as well as by-product releases.
- Import and export: required to adequately control POPs flows into and out of the country.
- Public health: particularly those involved in malaria vector control (to ensure DDT is addressed) and issues of exposure to POPs.
- Trade: for issues that could impact on trade, such as restrictions on markets and controls on waste trade.
- Transport: for safe transport of chemicals.

Non-governmental:

- Representatives from industry and commerce such as trade associations and professional bodies. Examples are chemical manufacturers, importers, exporters, end users, the agricultural sector, the power sector, the waste management industry, and other industrial concerns affected by possible controls on unintentional production. POPs issues will impact many parts of the economy.
- Environmental, public health and other civil society groups concerned with POPs. POPs can impact public and environmental health.
- Health and safety groups. Workplace exposure is an important area for POPs management.
- Community representatives, including representatives of youth and women's groups and groups involved in the health of children and aboriginal groups, to ensure that their communities' concerns are taken into account.
- Academic and research institutions. The issue of POPs can be highly technical and may require specialist knowledge.

## 5.5 Tasks

Note that although one mechanism is outlined here, other mechanisms or modifications to this basic structure might be used depending on what suits a country best. The mechanism outlined in this document consists of a high-level stakeholder review committee (the national coordinating committee (NCC)), an executive unit (the PCU),

which includes a national project coordinator (NPC)) and task teams and experts who would be brought in to the project for identified tasks.

A *national lead agency* (see Annex I), possibly a ministry or Government department of equivalent level, would be officially assigned the primary responsibility for the POPs issue and Stockholm Convention implementation. That agency would be given the authority to establish or activate a multi-stakeholder coordinating and stakeholder input mechanism, provide it with administrative support and ensure the integration of substantive work, as appropriate. The day-to-day work would be ensured by a project management focal unit.

#### **Establishment of a project execution mechanism**

The Stockholm Convention focal point and/or the NPC if already identified should:

- Produce simple background information on the POPs issue, including a summary of the situation within the country as currently understood and a summary of the requirements of the Stockholm Convention.
- Make a preliminary assessment of relevant sectors and activities which are likely to be affected by measures required by the Convention to determine the stakeholders to be targeted. FAO has guidance on identifying stakeholders relevant to the issue of obsolete pesticides, including POPs (“Country Guidelines”, FAO Pesticide Disposal Series 11). A document published by UNITAR and the Inter-Organization Programme for the Sound Management of Chemicals (IOMC), entitled “Developing and Sustaining an Integrated National Programme for the Sound Management of Chemicals”, provides a discussion of the importance of involving stakeholders in chemicals management.
- See also annex D, “Principles for Cooperation with Stakeholders in Policy Development and Programme Implementation”, in the UNITAR document “Guidance on Action Plan Development for Sound Chemicals Management”.
- If appropriate, produce outreach information on the POPs issue for distribution to potential stakeholders and organize a point of contact for anyone seeking information on the development of the NIP. Consider setting up a mechanism to respond to requests for information on POPs from the public, industry and others. The UNEP document “Ridding the World of POPs: A Guide to the Stockholm Convention on Persistent Organic Pollutants”, may be useful.

The NLA should:

- Organize the membership of the PCU (see Annex I Annex 1), which will take executive responsibility for the development of the NIP and identify or confirm the NPC (see Annex I), who will be responsible for project management and managing the work of the PCU.
- Prepare a preliminary list of key stakeholders inside and outside Government who should be engaged in the NCC (see Annex I) or alternative mechanism for stakeholder engagement.
- Develop suitable terms of reference for the PCU, the NPC and consultants to be engaged in the process (notes on the terms of reference are given in (see Annex I). Develop mechanisms for members of the PCU and NCC to communicate, to transmit information, to agree assignments and to receive feedback.
- Set up the PCU and commence project planning<sup>8</sup>.

The PCU would determine the most appropriate mechanism of supervision and review of the project and the means to engage with stakeholders. In this guidance, the NCC as described above is used as an example. Countries should set up systems to manage the

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<sup>8</sup>

Using the GEF initial guidelines online as a starting point if appropriate

project and to engage with stakeholders that are appropriate to their individual circumstances.

### **Project plan and organization**

The PCU would:

- Formulate a project plan that assigns responsibilities, resources and budgets required for NIP development and identify training and capacity-building needs for the tasks to be undertaken. This guide and the outline contents of the NIP (see Annex 5) can help to define the elements of the project plan.
- Finalize structure for NIP development, including a coordination mechanism for the core team, wider stakeholder involvement, as appropriate, and a mechanism for identifying and responding to needs in terms of internal capacity-building and external assistance.
- Identify and establish “task teams” (see Annex I) to take the lead on technical tasks in Phase II.
- Identify existing programmes and initiatives which may be linked to the POPs issue (e.g., obsolete pesticides management programme, Rotterdam Convention, integrated vector control programme, emission inventory initiatives, sustainable development programme). Ensure that links are made to these programmes which will ensure each effort is and coordinated with the POPs programme.

### **Public information and awareness raising**

Direct or indirect cooperation with national stakeholders is required, where appropriate, by Article 7, paragraph 2, of the Convention. Once established, the NCC would be responsible for planning how public and stakeholder awareness should be raised, how stakeholders will be consulted, how information should be communicated and how questions and concerns should be managed. The UNITAR/UNEP document “Strengthening Information Exchange for Sound Chemicals Management” (February 2003 preliminary draft) has valuable information in this regard.

Consideration should be given to involving all stakeholders, including non-governmental organizations and independent experts having experience on outreach campaigns on chemical risk prevention, and to ensuring free access to information to all interested parties, taking language-specific considerations into account. Where appropriate a dedicated information system could be established.

## **5.6 Method and approach**

Initiate a meeting of key Government departments and agencies to establish the PCU and NPC. Circulate beforehand a summary briefing document on the Stockholm Convention, commitments, background on issues and assessment of POPs issues in the country, a suggested list of stakeholders to be considered for inclusion and a suggested format for stakeholder input. The outcomes of this meeting would be the expected membership of the PCU, a clear idea of the NPC, an agreed strategy for stakeholder involvement and project supervision and an outline of an initial NCC or equivalent body, including its composition and chair.

Finalize membership of the PCU and assemble preparatory documents and information for members, including an outline agenda, expected results of the meeting and basic ground rules for the operation of the PCU.

Convene the first meeting of the PCU to set out and agree rules for the development of the NIP, outline technical aims and objectives, assign responsibilities for areas of NIP assessment and development, agree a mechanism for stakeholder involvement, initiate establishment of the NCC, develop an outline project plan and estimate resources required and key players that must be involved.

Hold first meeting of the NCC to brief stakeholders on the Convention and its information requirements, rationale and objectives. Present the project plan for NIP development. Gather feedback on composition of the NCC, interests and aims of

stakeholders and issues that need to be addressed and suggest mechanism for receiving additional inputs.

Get agreement on the proposed project plan for the development of the NIP, consulting with all members of the PCU and, if necessary, convening a second meeting to finalize the plan. Communicate the plan to the NCC and wider stakeholder group as appropriate.

Develop a mechanism to engage stakeholders throughout the development and implementation of the NIP.

## **5.7 Available guidance documents**

Country Guidelines, FAO Pesticide Disposal Series 11 (FAO)

Protecting Human Health and the Environment: A Guide to the Rotterdam Convention on trade in hazardous chemicals and pesticides

Overview of the Rotterdam Convention

Developing and Sustaining an Integrated National Programme for the Sound Management of Chemicals (UNITAR/IOMC, 2004) (working draft)

Guidance on Action Plan Development for Sound Chemicals Management (UNITAR, April 2005) (draft)

Ridding the world of POPs: A guide to the Stockholm Convention on Persistent Organic Pollutants (UNEP, 2002)

Strengthening Information Exchange for Sound Chemicals Management, (UNITAR/UNEP, February 2003) (preliminary draft)

Also see [www.epa.gov/cien](http://www.epa.gov/cien) for links to Internet-based information resources and training materials, or contact UNEP for more information on the Chemical Information Exchange Network programme.

## **6. Phase II – Establishment of POPs inventories and Assessment of National Infrastructure and Capacity**

### **6.1 Objectives**

To carry out the specific assessments, including targeted data generation and data gathering, required to provide the necessary background information and POPs baseline to allow a Party to understand the scope of the POPs issue and to complete a NIP. These assessments should build as much as possible on existing information sources.

To identify gaps in resources, capacity and knowledge which prevent the complete assessment of the status of POPs.

To identify country needs in terms of technical expertise and other assistance to complete the NIP.

To facilitate coordination and integration with national sustainable development, chemicals management and pollution control policies.

To facilitate coordination, as appropriate, with activities addressing other regional, sub-regional and international environmental agreements e.g. Rotterdam Convention .

### **6.2 Outcome**

Baseline data to support assessment of the POPs issue in the country. Some of the following suggested information may be provided where feasible and available:

- Relevant country background.
- The manufacture, import, export, use and management of POPs chemicals.

- Institutional setting and infrastructure assessment for POPs management, regulation and enforcement.
- The health and environmental impacts of POPs.
- Preliminary inventory of POPs pesticides.
- Preliminary inventory of PCB containing equipment.
- Preliminary inventory of releases of unintentionally produced POPs.
- Summary of relevant data on environmental contamination and exposure.
- Review of legal and enforcement mechanisms.
- Analysis of the socio-economic aspects of POPs use.

### **6.3 Primary responsibility**

Under the guidance and supervision of the NCC, the PCU would be responsible for coordination and management using focused task teams and other expert assistance from outside, as appropriate, to develop background information and options for defined areas.

Task teams will have responsibility for defined assessments. For example, a country may decide that it requires teams such as a POPs pesticide task team, a PCB team, a by-products team and a contaminated sites team. Other tasks could be undertaken by the PCU, nominated members of the PCU or external experts under supervision of the PCU.

### **6.4 Stakeholders – who and why**

For this stage of NIP development, the input of stakeholders with specific knowledge and factual information is particularly important. It would be important to identify those groups and individuals who hold key information and to work closely with them. These might include, for example, actual users of POPs pesticides, to aid understanding of the extent of the needs (real or perceived) and the way that such substances are used and stored, and industry representatives, who could provide realistic information relevant to assessing likely sources of unintentionally produced POPs.

### **6.5 Tasks**

The suggested list of areas that need to be considered to provide a suitable baseline for NIP development are summarized in the outline contents of the NIP contained in Annex 5. These and the descriptions of tasks given below should be read together.

Review tasks required for this phase of the programme and consider whether training or external assistance is required to ensure maximum effectiveness of the teams carrying out the assessments. It would be valuable to coordinate training and expertise requirements with UNEP.

Assemble simple, summary information to complete the descriptive section of the NIP. This might come from an existing country profile carried out for chemicals management purposes or a similar pre-existing summary (headings are given in the outline contents of the NIP in Annex 5).

If a national profile has not been carried out for the country, then consider whether it should be initiated and integrated with NIP development. Guidance on the preparation of a national profile is contained in the UNITAR document “Preparing a National Profile to Assess the National Infrastructure for Management of Chemicals: A Guidance Document” and the POPs-related supplement “Preparing/Updating a National Profile as Part of a Stockholm Convention National Implementation Plan” (UNITAR/UNEP 2002).

Other information may also be available through regional assessments, such as the UNEP regional PTS assessment, or can be found readily on the Internet ([www.epa.gov/cien](http://www.epa.gov/cien) provides information on how to effectively search the Internet for POPs and other chemicals on the joint UNEP/ United States Environmental Protection Agency Chemical Information Exchange Network project).

Initiate assessment of “intentionally produced” chemicals as they are defined in the Convention. For the purposes of this guidance document, the assessments for this group of chemicals are split into two sections - “POP pesticide assessment” (see Annex 2), and “PCB assessment” (see Annex 3).

Initiate an “unintentionally produced chemicals assessment” (see Annex 4).

Some POPs appear in more than one category. It is important to note that hexachlorobenzene (HCB) may be considered a POPs pesticide and an industrial chemical and can also be an unintentionally produced POP. PCBs are industrial chemicals that also occur as unintentionally produced POPs. Care should be taken that all relevant information is considered for these chemicals.

Review and evaluate the legal framework and institutional infrastructure with reference to meeting the requirements of the Stockholm Convention.

In considering the legal framework and institutional infrastructure with reference to meeting requirements of the Stockholm Convention, an assessment should be done of the framework and infrastructure developed to implement other international environmental agreements such as the Rotterdam Convention and the Basel Convention and whether these might be applicable. When developing the necessary infrastructure for the Stockholm Convention consideration should be given to simultaneously developing the relevant legal framework and infrastructure for the Rotterdam Convention.

Review the status of import decisions taken under the Prior Informed Consent (PIC) procedure of the Rotterdam Convention for those chemicals that are also subject to the Stockholm Convention as a means of defining national objectives regarding these substances.

Clearly identify gaps, such as in available information, deficiencies in technical expertise and enforcement capacity, as they become apparent.

Formulate a list of priority areas or areas of great concern that have been uncovered during the process of the assessments and summarize the state of knowledge, known impacts and likely risks as well as possible remedial actions.

Assemble and summarize available data on levels of POPs chemicals in the environment and human exposure. It is valuable to collect any relevant data on concentrations of POPs in environmental media – air, soil, water, sediment, plants and animals. In addition, any work on human or ecosystem exposure should be reviewed and summarized. The resulting summary should contain details of measurements that have been taken, any programmes that are in place or have been conducted, international studies (such as the World Health Organization contamination of breast milk studies) and the types of samples included. Guidance on the assembly and summarizing of such data has been produced for the GEF-funded “Regionally Based Assessment of Persistent Toxic Substances – Guidance Document for the Collection, Assembly and Evaluation of Data on Sources, Environmental Levels and Impacts of Persistent Toxic Substances” (UNEP Chemicals, September 2000).

Ensure that links are made, when appropriate, to relevant national initiatives to eliminate duplication or conflict and maximize efficiency (e.g., chemicals management, waste management and disposal, pollution control, sustainable development).

Identify and evaluate any relevant regional, subregional and international agreements and note any appropriate linkages to the development of the NIP.<sup>9</sup>

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<sup>9</sup> Intergovernmental environmental organisations or the interim secretariat to the Stockholm convention can assist.

Plan and facilitate or engage in information exchange with other Parties as detailed in Article 9 of the Convention. The PCU may find valuable information to assist with NIP development through such information exchange.

Continue to address the need for public information, awareness raising and education in accordance with Article 10 of the Convention and in line with the project plan.

Consider research, development and monitoring aspects in accordance with Article 11 of the Convention.

Drawing on the knowledge gained in the course of carrying out the above tasks, consider the socio-economic effects, including negative aspects for workers and local communities, of POPs use, elimination, replacement and reduction as well as the commercial infrastructure for introducing benign alternatives. Some notes relevant to socio-economic analysis are included in Annex 6 and the OECD "Technical Guidance Document on the Use of Socio-Economic Analysis in Chemical Risk Management Decision Making".

## 6.6 Method and approach

This phase of the development of the NIP is likely to be one of the major steps and requires strong technical input and thorough investigation of the situation.

In order to successfully manage the process, it will be important to have good communications between the NPC and members of the PCU, as well as between the task teams and individuals responsible for specific assessments and drafting tasks.

It is expected that the main effort for data collection, generation and assembly will be the responsibility of the task teams.

Periodic briefings and meetings of the PCU could be used to ensure that all members are aware of the progress being made and to review the aims and findings of the tasks as they progress.

The NCC should be kept involved with the developments in line with the mechanism agreed previously.

## 6.7 Available guidance documents

Guidance Document for the Collection, Assembly and Evaluation of Data on Sources, Environmental Levels and Impacts of Persistent Toxic Substances (UNEP Chemicals, September 2000)

Standardized Toolkit for Identification and Quantification of Dioxin and Furan Releases (UNEP, 2003)

Information and programmes on obsolete pesticides available on the Internet at [http://www.fao.org/WAICENT/FAOINFO/AGRICULT/AGP/AGPP/Pesticid/Disposal/guides\\_en.htm](http://www.fao.org/WAICENT/FAOINFO/AGRICULT/AGP/AGPP/Pesticid/Disposal/guides_en.htm) (a CD ROM is also available from FAO)

Guidance to Designated National Authorities on the Operation of the Rotterdam Convention Secretariat to the Rotterdam Convention (Rome Geneva 2004, only available in hard copy; to obtain copy, contact the Secretariat of the Rotterdam Convention)

Decision Guidance Documents (DGDs) for the individual chemicals subject to the Prior Informed Consent (PIC) procedure under the Rotterdam Convention

PIC Circulars

Training manual for inventory taking of obsolete pesticides, FAO Pesticide Disposal Series 10

Crosschecking tool for informed decision making in the development of action Plans on Pesticides under the Stockholm Convention

Guidelines for the Identification of PCBs and Materials Containing PCBs (UNEP, 1999)

Inventory report forms – Inventory of PCB-Containing Equipment (UNEP, August 2002)

Preparing a National Profile to Assess the National Infrastructure for Management of Chemicals: A Guidance Document (UNITAR, 1996)

A guidance document and the POPs related supplement “Preparing/Updating a National Profile as part of a Stockholm Convention National Implementation Plan” (UNITAR, 2003) (working draft).

Identification of PCB-containing capacitors – an information booklet for electricians and electrical contractors (Australian and New Zealand Environment and Conservation Council, 1997)

PCBs: A Compilation of Information Derived from HELCOM Recommendations, EU-Directives, UN-ECE-LRTAP, UNEP and OSPAR, and Analysis of Appropriate Measures Aiming at Safe Handling and Reduction of Releases of PCB from PCB-Containing Equipment in Use (HELCOM, 2001).

PCBs – A Compilation and Evaluation of the Information Given by the Contracting Parties with the Focus on Legislative Situation, Current Uses, Stockpiles and Releases (HELCOM, 2001)

Framework for the Management of PCBs (Intergovernmental Forum for Chemical Safety, 2002)

PCB Transformers and Capacitors – From Management to Reclassification and Disposal (UNEP, 2002)

PCB and PAH Releases from Incineration and Power Generation Processes (R&D Technical Report P4-052/TR) (Environment Agency (England And Wales), 2002)

Technical Guidance Document on the Use of Socio-Economic Analysis in Chemical Risk Management Decision Making (Environment Directorate, Organisation for Economic Cooperation and Development, 2002)

For guidance on accessing chemical information on the Internet and on creating an information exchange network, see [www.epa.gov/cien](http://www.epa.gov/cien) or contact UNEP regarding the Chemical Information Exchange Network.

## **7. Phase III – Priority Assessment and Objective Setting**

This phase is designed to result in a preliminary assessment of the priority issues related to POPs based on a country-specific multi-criteria system<sup>10</sup> which identifies the most important issues to address. In addition, initial objectives are developed to guide the development of the NIP and country activities in the field of POPs.

### **7.1 Objectives**

To develop country-specific criteria for prioritizing health and environmental impacts of POPs.

To assess the available information from phase II to identify priority areas for attention.

To identify data and other gaps in the information available which prevent full priority assessment being carried out.

To set appropriate short and long-term objectives for management of POPs in compliance with the Stockholm Convention as well as using the Rotterdam Convention as a means for the identification and proactive/preventive action to effectively manage chemicals with POPs like characteristics.

### **7.2 Outcome**

A set of country-specific criteria for prioritizing health and environmental impacts of POPs.

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<sup>10</sup> The assessment should be based on all the relevant issues – hence a “multi-criteria” weighting system should be derived to ensure that all issues are taken into account.

A preliminary priority assessment for the country.

Identification of data gaps and deficiencies preventing full assessment.

A series of preliminary country objectives for POPs management in compliance with the Stockholm Convention.

Understanding of the possible links to the Rotterdam Convention and opportunities for synergy – collaborative action between the two Conventions.

### **7.3 Primary responsibility**

The PCU would undertake the development of criteria and review of the work done to establish the baseline situation. External expertise may be required from consultants, other Government departments or others. Preliminary recommendations made by the PCU would be reviewed by the NCC to help formulate the priorities for the country and to help to set objectives.

In order to help ensure that the work done under the Rotterdam Convention is given full consideration the designated national authority identified under the Rotterdam Convention should be involved.

### **7.4 Tasks**

Develop criteria or indicators which would help to show whether findings from data gathering and other POPs-related information indicate the likely existence of a significant problem. The criteria should take into account health, environmental and socio-economic impacts and availability of alternatives.

Carry out a review of the findings of the POP pesticide assessment (Annex 2), the PCB assessment (Annex 3) and the unintentionally produced chemicals assessment (Annex 4) and other information gathered against the criteria developed above.

Review the findings of the legislative review carried out in phase II against the requirements of the Stockholm Convention to identify those areas where changes are required, the nature of the changes needed and the timetable over which to implement the changes consistent with a Party's obligations under the Convention.

Review institutional framework to identify possible priority areas requiring strengthening and improvement.

Review legal requirements and obligations arising from national, regional and international agreements (for example, relevant provisions of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, regional agreements that address POPs or national policies on chemicals management, etc) and identify shortcomings in institutional, legal and environmental situations relevant to these.

Based on the review, formulate priorities for actions to meet the country's obligations under the Stockholm Convention, giving due attention to Convention Articles 3, 4 and 5 and their associated annexes.

Carry out an initial objective-setting exercise. The PCU should provide background information on the current situation, including data gaps and deficiencies, and an outline structure of possible objectives related to POPs management. The NCC might work with a wider stakeholder group or through a process of workshops, for example to discuss suitable short and longer-term objectives. These preliminary objectives could be used to inform the next phase of NIP development and would be subject to review and updating as additional information became available.

### **7.5 Method and approach**

The PCU would develop a list of possible criteria for assessing the priority of POPs-related issues. This list could be cross-checked against criteria used in other countries and reviewed by international organizations or experts. The PCU should consider review and comments from the NCC before finalizing the criteria.

The PCU would initiate reviews of the data gathered in phase II of the NIP development as described above and provide an initial assessment of the key areas and priority listing using the criteria developed.

This assessment and review would be presented to the NCC for its input.

Based upon the requirements of the Stockholm Convention and the assessment of changes required to implement them as well as the priority listing, the PCU would draw up a list of possible objectives for POPs management and implementation of the Convention.

The NCC or other mechanism would be used to review the possible objectives and to set out preliminary objectives for the short and longer-term for POPs management and the development of the NIP.

## **7.6 Available guidance documents**

Developing a Risk Management Plan for a Priority Chemical (UNITAR, 2001) (working draft)

Strengthening Information Exchange for Sound Chemicals Management (UNEP/UNITAR, February 2003) (preliminary draft)

## **8. Phase IV – Formulation of National Implementation Plan**

### **8.1 Objective**

To identify and gather information on possible options for management of POPs to meet obligations under the Stockholm Convention and relevant obligations under the Rotterdam Convention with indication of the scope of application, limitations, costs and benefits of each.

To prioritize the options available and actions necessary to meet the requirements of the Stockholm Convention and country objectives.

To draw up a draft NIP suitable for the country to meet the needs of the Stockholm Convention, its country-specific objectives and priorities, coordinated with national activities on sustainable development where necessary and appropriate.

To identify requirements for assistance in the completion of additional assessments and information gathering to complete and implement the NIP.

### **8.2 Outcomes**

Review of options available to meet the obligations of the Stockholm Convention and where relevant the Rotterdam Convention, as well as, country objectives for POPs management.

Draft NIP suitable for submission to the Conference of the Parties providing an appropriate plan drawing together action plans addressing aspects of POPs management with supporting information as needed for the implementation of the Stockholm Convention and meeting country objectives for POPs management.

Identification of needs for capacity-building and external assistance to meet obligations under the Convention.

### **8.3 Primary responsibility**

The PCU would be responsible for the work in this phase. The PCU could draw on assistance from consultants, external experts and organizations such as UNEP. The process would be reviewed and monitored by the NCC in accordance with the mechanisms that are in place.

## 8.4 Tasks

### Assessment of options

Based on the results of the review carried out in phase III showing the current situation in the country and identifying where this does not meet Convention obligations and country priorities and objectives, formulate a focused list of options and measures to take the country to the desired position. It may be helpful to consider each group of chemicals addressed (POPs pesticides, industrial chemicals/PCBs and unintentionally produced POPs) and develop a series of steps with costs, resource needs, implications, assessment and benefits/results evaluation. The Guidance on the development of actions plans and under the Stockholm Convention produced by UNEP Chemicals describes the elements to be considered and the steps for elaborating action plans and strategies that address the convention requirements. Guidance on the use of one holistic approach to environmental technology assessment and a framework for environmental risk assessment is available in a publication entitled

“Technical Workbook on Environmental Management Tools for Decision Analysis” by the International Environmental Technology Centre, Technical Publication Series 14 (see [www.unep.or.jp/ietc/Publications/techpublications/TechPub-14/index.asp](http://www.unep.or.jp/ietc/Publications/techpublications/TechPub-14/index.asp)).

Review findings and options in terms of their cost-effectiveness and benefit-cost and determine whether country objectives need to be modified in the light of the findings, available resources and any changes in priorities.

### NIP development – general issues

The Convention refers to the development of specific action plans and strategies, i.e., an action plan on DDT and a strategy to identify contaminated sites. Parties are encouraged to conduct an analysis of the Convention to determine the specific requirements or suggested elements for each.

This guidance also recommends additional action plans and strategies that are not explicitly mentioned in the Convention but may be helpful in organizing the activities and meeting a Party’s obligations to produce a NIP.

Parties may, where necessary and appropriate, wish to link action plans and strategies planned with the aim of meeting the obligations of the Stockholm Convention and meeting country objectives for POPs management with existing country programmes on sustainable development, in particular, programmes on chemicals management, integrated pest and disease management, environmentally sound waste management and industrial pollution control. Throughout the process, consideration should be given to suitable measures of performance – or indicators – to be used to determine the effectiveness of the measures taken so that these can be included in the NIP.

In developing strategies and action plans for the Stockholm Convention, there may be considerable benefit in overall effectiveness and efficiency in coordinating activities with the Rotterdam Convention and the Basel Convention. Linkages with the key elements of the Rotterdam Convention are highlighted within this document. Similarly opportunities for cooperative action in the implementation of the Rotterdam Convention are identified in the more detailed guidance on individual action plans to be developed under the Stockholm Convention. Linkages between the Conventions are further described in a document entitled “The Hazardous Chemicals and Wastes Conventions” (UNEP, 2002).

As each action plan is developed, it will be useful to consider the administrative requirements for implementation of the Convention, addressing mechanisms for adoption into local law, secretariat functions and responsibilities and any assignment of responsibilities for implementation. Note should be taken of any institutional and regulatory strengthening measures required (drawing on the findings of the background work and action plan development).

Identify requirements for exemptions and any other issues related to the Convention. Propose a mechanism to ensure exemptions are updated as needed.

## NIP development – specific action plans and elements

In developing an action plan for POPs pesticides, the IOMC document “Reducing and Eliminating the use of Persistent Organic Pesticides” (2002) and the FAO document “International code of conduct on the distribution and use of pesticides”, may be useful in integrating measures on POPs pesticides with broader objectives of sustainable crop management. The FAO series of documents and guidelines on dealing with the problem of obsolete pesticides can provide a framework for addressing stockpiles and working to ensure that problems do not recur. Work in this area should be linked to and coordinated with the part of the NIP addressing POPs as wastes.

Countries that are using or may need to use DDT are encouraged to develop and implement action plans specifically addressing the elements listed in part II of Annex B of the Convention. Account should be taken of guidance referred to above as well as specific WHO guidance on DDT use and replacement, including the document “Action Plan for the Reduction of Reliance on DDT in Disease Vector Control”, WHO/SDE/WSH/01.5 (WHO, 2001).

Annex A, part II, of the Stockholm Convention addresses specific requirements for PCBs reflecting the widespread use of PCBs in long-lived equipment. An action plan for PCBs could be developed building on the findings of the preliminary assessment on PCB uses and addressing the need to identify and remove from use PCB-containing equipment as detailed in the Convention. In addition, these activities should promote measures to reduce exposure and risk. Measures for PCB disposal and handling of waste PCBs should be linked to strategies on stockpiles and wastes.

It will be necessary to propose options for the management of PCBs to meet the obligations of the Convention as well as earlier elimination and phase out of PCBs and identify constraints and costs, benefits and potential risks of the different options (availability of disposal, costs, replacement costs, availability of alternatives, assessment of potential environmental contamination from leakage, identification of sensitive areas, etc.). The UNEP document “PCB Transformers and Capacitors – from Management to Reclassification and Disposal” (UNEP, 2002) provides useful guidance on many elements of the management of PCB equipment and alternative fluids. The HELCOM document “PCB Guidance on Measures” (HELCOM, 2001), provides details of measures put in place in HELCOM countries for PCB management. The document “Framework for the Management of PCBs” (Intergovernmental Forum for Chemical Safety, 2002) lists elements of a possible environmentally sound management approach for PCBs.

In considering possible disposal options for PCBs, the following documents would be useful: “Survey of Currently Available Non-incineration PCB Destruction Technologies” (UNEP, 2000) and “Inventory of Worldwide PCB Destruction Capacity” (UNEP, 1998).

UNITAR guidance on the sound management of chemicals can provide valuable information and strategies which might help in the development of a suitable framework for POPs management. The programme homepage -- <http://www.unitary.org/cwm/> - provides links to guidance on chemicals management issues, including risk assessment. A specific action plan for POPs releases from unintentional production should be developed in accordance with Article 5 of the Convention. This plan can be developed, as appropriate, on a national, subregional or regional level. The plan should address the need to evaluate and update emission estimates, building on the UNEP inventory toolkit, and should be integrated with other national activities on inventories or pollutant release registries (e.g., PRTRs (pollutant release and transfer registries)). It should also have specific activities to promote education and training with respect to and awareness of the strategies and a mechanism for evaluation of their effectiveness. Actions on the use of best available techniques (BAT) and best environmental practices (BEP) to reduce releases from unintentional production in accordance with the Convention may be assisted by guidance being developed by the BAT/BEP expert group set up by the Convention’s Intergovernmental Negotiating Committee. Such guidance could build upon the principles outlined in part V of Annex C to the Convention.

It will be necessary to develop strategies for reducing or eliminating releases from stockpiles and wastes in accordance with Article 6 of the Convention, coordinating the actions and measures with plans for each of the groups of POPs. Countries should consider coordinating their actions on POPs with their wider programmes and initiatives on the management of hazardous chemicals and hazardous wastes. Guidance on management of stores and stockpiles is available in the FAO series on obsolete pesticides described above. Guidance on POPs as wastes is being developed by the secretariat for the Basel Convention under the title “Technical Guidelines on Wastes Comprising or Containing PCBs, PCTs and PBBs (Y10)” (this document is due to be updated as of 2002). More general guidelines on the management of hazardous wastes are detailed on the Basel Convention web site ([www.basel.int](http://www.basel.int)).

It will also be necessary to develop appropriate strategies for identifying and managing sites contaminated by POPs in accordance with Article 6 of the Convention. Some information to help identify sites contaminated by dioxins and furans is included in the UNEP inventory toolkit.

Guidance on assessing and managing sites contaminated by pesticides is available in “Assessing soil contamination: a reference manual” (FAO, 2002).

Countries must plan for, facilitate or continue on-going information exchange with other Parties to the Convention (as described in Article 9 of the Convention). Relevant guidance may be found in the UNITAR document “Information Exchange for Sound Chemicals Management”. Further information on information exchange and networking can be obtained from the joint UNEP/United States Environmental Protection Agency Chemical Information Exchange Networking project (CIEN) at [www.epa.gov/cien](http://www.epa.gov/cien).

Each Party should, within its capabilities, promote and facilitate public information, awareness raising and education in accordance with Article 10 of the Convention.

Parties should also, within their capabilities, encourage and/or undertake appropriate research, development, monitoring and cooperation pertaining to POPs and formulate a reporting mechanism to evaluate progress and produce reports in accordance with Convention requirements. (Guidance for this will be produced by the Convention secretariat).

### **Drafting of the NIP**

Each Party should develop a detailed “road map” to show what measures will be required, what actors are needed and what resources are necessary. The roles and responsibilities of key players should be detailed, along with a mechanism for implementation. The role and inputs required of international organizations and financial and technical resources required should also be detailed. A logical framework matrix may be useful here to show clearly what steps must be taken and what actions and resources are needed to make them possible. Detailed guidance on the use of logical framework tools for project planning are provided in “Introduction to the Logical Framework Approach”.

It will be necessary to draft the NIP document. The NIP outline contents (see annex 5) can be used as a guide to the areas that might be included in a NIP. Clearly, the detail in any section will depend on the situation in each country, the priorities set, the country objectives and the scale of actions required to meet Convention obligations. For example, where chemicals are known for certain not to have been used historically or currently and where legislation that is enforced already exists to meet the requirements of the Convention, great detail would not be needed in the NIP.

### **Needs for assistance**

It will be necessary to clearly identify those areas which may be a priority for assistance during implementation of the NIP. When appropriate, provide as much detail on the nature of the assistance required, the objectives that will be met and the needs that are to be addressed with indications of the costs, resources and expected outcomes. These might range from informational needs, training and assessment through to investment projects. Clearly, any identified investment projects should be fully evaluated and assessed in conjunction with potential donors in accordance with good practice.

Countries should identify those areas where they are making resources available for co-financing of activities.

## 8.5 Method and approach

The PCU would manage the evaluation of options, drawing on expertise within the country and from outside as needed.

Developing action plans, identifying options and drafting the outline sections of the NIP would be the responsibility of the task teams and individuals from the PCU, supplemented by external expertise from within the country and, if required, from outside.

Careful coordination would be required for common areas such as the legal and enforcement mechanism, import and export and the identification, classification and management of wastes.

## 8.6 Available guidance documents

Technical Workbook on Environmental Management Tools for Decision Analysis, International Environmental Technology Centre, Technical Publication Series 14 (see <http://www.unep.or.jp/ietc/Publications/techpublications/TechPub-14/index.asp>)

The Hazardous Chemicals and Wastes Conventions (UNEP, 2002)

Reducing and Eliminating the use of Persistent Organic Pesticides (IOMC, 2002)

FAO obsolete pesticides programme

Assessing soil contamination: a reference manual (FAO, 2002)

Guide on the Development of National Laws to Implement the Rotterdam Convention Secretariat of the Rotterdam Convention (September 2004).

Action Plan for the Reduction of Reliance on DDT in Disease Vector Control, WHO/SDE/WSH/01.5 (WHO, 2001) (available at <http://www.pops.int/documents/guidance/NIPsFinal/who.pdf>) UNITAR guides on PRTRs – covering principles and practical aspects of PRTR systems:

Implementing a National PRTR Design Project

Supplement 1: Preparing a National PRTR Infrastructure Assessment

Supplement 2: Designing the Key Features of a National PRTR System

Supplement 3: Implementing a PRTR Pilot Reporting Trial

Supplement 4: Structuring a National PRTR Proposal

Addressing Industry Concerns Related to Pollutant Release and Transfer Registers (UNITAR, 1998)

Pollutant Release and Transfer Registers - A Tool for Environmental Policy and Sustainable Development: Guidance Manual for Governments (PRTR Guidance Manual) (OECD, 1996)

Resource compendium of PRTR Release Estimation Techniques, ENV/JM/MONO(2002)20 (OECD, July 2002)

Introduction to the Logical Framework Approach (UNDP, 2002)

PCB Transformers and Capacitors – from Management to Reclassification and Disposal (UNEP, 2002)

PCBs: A Compilation of Information Derived from HELCOM Recommendations, EU-Directives, UN-ECE-LRTAP, UNEP and OSPAR, and Analysis of Appropriate Measures Aiming at Safe Handling and Reduction of Releases of PCB from PCB-Containing Equipment in Use (HELCOM, 2001).

PCBs – A Compilation and Evaluation of the Information Given by the Contracting Parties with the Focus on Legislative Situation, Current Uses, Stockpiles and Releases (HELCOM, 2001)

## **9. Phase V – NIP Endorsement and Submission**

### **9.1 Objective**

To communicate clearly the scope, need for, purpose and value of the NIP.

To consult with all stakeholders on the proposed NIP, as appropriate.

To finalize the NIP, taking account of stakeholder input.

To secure political support for the NIP and its implementation.

To transmit an agreed NIP to the Conference of the Parties of the Convention within two years of entry into force of the Convention for the Party.

To establish a mechanism for periodic updating and review of the NIP in accordance with Article 7 of the Convention.

To establish a mechanism for reporting to the Conference of the Parties as required.

To put in place the mechanism for implementation of the NIP.

### **9.2 Outcome**

Nationally accepted NIP with means to update, review and report built in, completed and transmitted to the Conference of the Parties as required.

Mechanism in place to carry forward implementation of the NIP.

### **9.3 Primary responsibility**

PCU, NCC and politicians and officials with responsibility for international legal agreements and national environmental policy and sustainable development.

### **9.4 Tasks**

Produce suitable communication materials to convey the contents, intentions and need for and benefits of the NIP for stakeholders.

Establish a consultation system, with suitable commentary and explanation if necessary, to ensure that stakeholders within and outside Government are made aware of the NIP and that feedback is gathered and collated for assessment.

Review the feedback from the consultation and adapt the NIP as appropriate.

Ensure that the NIP includes mechanisms for periodic updating and review as needed and appropriate in accordance with Article 7 of the Convention.

Submit the revised NIP to those who must endorse it and commit to its implementation (Government ministers, heads of departments, etc).

Design and set up a mechanism and structure for implementation of the NIP.

Submit the NIP to the Conference of the Parties as required.

### **9.5 Method and approach**

The PCU, with guidance from the NCC, should identify a mechanism to be used for consultation on the NIP and draft suitable background information to accompany the NIP to explain the reason for its development, its aims and implications and the process of gathering feedback on the NIP.

The PCU should carry out the consultation as agreed and gather and assess any resulting feedback.

The PCU should amend the NIP, taking account of feedback where necessary, and present the revised NIP to the NCC.

The PCU and NCC would agree a mechanism to secure the necessary endorsement for the NIP and measures needed to implement it. After the necessary endorsement, the PCU would ensure that the NIP is transmitted to the Conference of the Parties as required.

## **9.6 Available guidance documents**

No specific guidance, beyond information regarding stakeholder interaction previously noted, was identified for this phase of the work.

## **Annex 1**

### **National implementation plan for the Stockholm Convention on Persistent Organic Pollutants - suggested model for implementation arrangements and terms of reference**

#### **Implementation arrangements**

##### **National lead agency**

The national Government will appoint a national lead agency (NLA) and a national project director (NPD), who should be a high-level official of the NLA (e.g., minister, secretary or general director). The NPD will be the certifying officer for the purpose of reporting on the progress of the NIP project to the GEF executing agency. The NLA will be the legal entity responsible for executing the project. The NLA will establish a national coordination committee (NCC) and a project coordination unit (PCU) and will appoint a national project coordinator (NPC), whose choice should be discussed with the GEF executing agency and be endorsed by the PCU or the NCC, as appropriate. The NLA should provide the necessary scientific, technical and administrative support to the work of the PCU, working in close cooperation with relevant Government agencies, the scientific community and the public and private sectors. It should ensure that all documentation deriving from the project is consonant with the objectives.

##### **National project coordinator**

The NPC will act as secretary to the NCC and oversee overall project execution and coordination with the GEF executing agency (see also the terms of reference). He or she will be responsible for achievement of the objectives and outputs of the project, including NIP preparation.

The NPC will be responsible for setting up a project team and organizing the work of the PCU. The core of the project team will consist of the NPC and a project assistant, both of whom will work on a full-time basis, one to three national technical experts and a financial officer. One or more international technical experts will assist the national project team. The technical experts will be responsible for the validity of technical reports and documents and for all technical work done for the project. The project team will be responsible for setting up task teams to fulfil specific project activities. The members of the project team and the task teams will be subject to approval by the PCU or the NCC. It is expected that country-based activities will be executed in a decentralized manner, with various governmental and/or non-governmental agencies being responsible for executing activities in their areas of expertise (e.g., the ministry of agriculture might be responsible for pesticides inventory).

##### **National coordinating committee**

The NCC will oversee the project. In general, the NCC will be responsible for policy input, functional guidance and overall coordination of the project. Functional guidance will be provided in relation to the execution of project activities through the review of regular reports and monitoring and evaluation activities. The NCC will provide advice and oversee the implementation of the project. It will also play an important role in further resource mobilization for the implementation of project results. It is proposed that an already existing inter-sectoral committee, dealing with chemicals management issues, could form the core of the NCC, supplemented by representatives from other POPs-relevant institutions. The members of the NCC will be nominated by the respective institutions and appointed by the NLA. The national project director will chair the NCC.

The NCC may comprise the main actors in Government (ministries of environment, industry, agriculture, health, labour, and others as appropriate), and as deemed necessary representatives of industry and the civil society (environmental NGOs, academia, trade unions, etc).

The NCC may comprise up to 15 members from relevant Government departments, non-governmental organizations, the labour sector and industry organizations. The chairman of the NCC will be the NPD or a senior official of one of the member organizations. The NCC will hold regular quarterly meetings and extraordinary meetings will be convened whenever called for by the agreed quorum. A quorum shall be formed by 50 per cent of the membership.

Some countries may decide to have an NCC with executive functions and hence composed of only Government agencies. In such cases, it will be advisable to have a broader multi-stakeholder committee in order to provide a forum for representatives of non-governmental organizations, the labour sector, academia, research institutions and industry organizations for becoming informed about, reviewing and providing input to the NIP development process.

### **Responsibilities of the NCC**

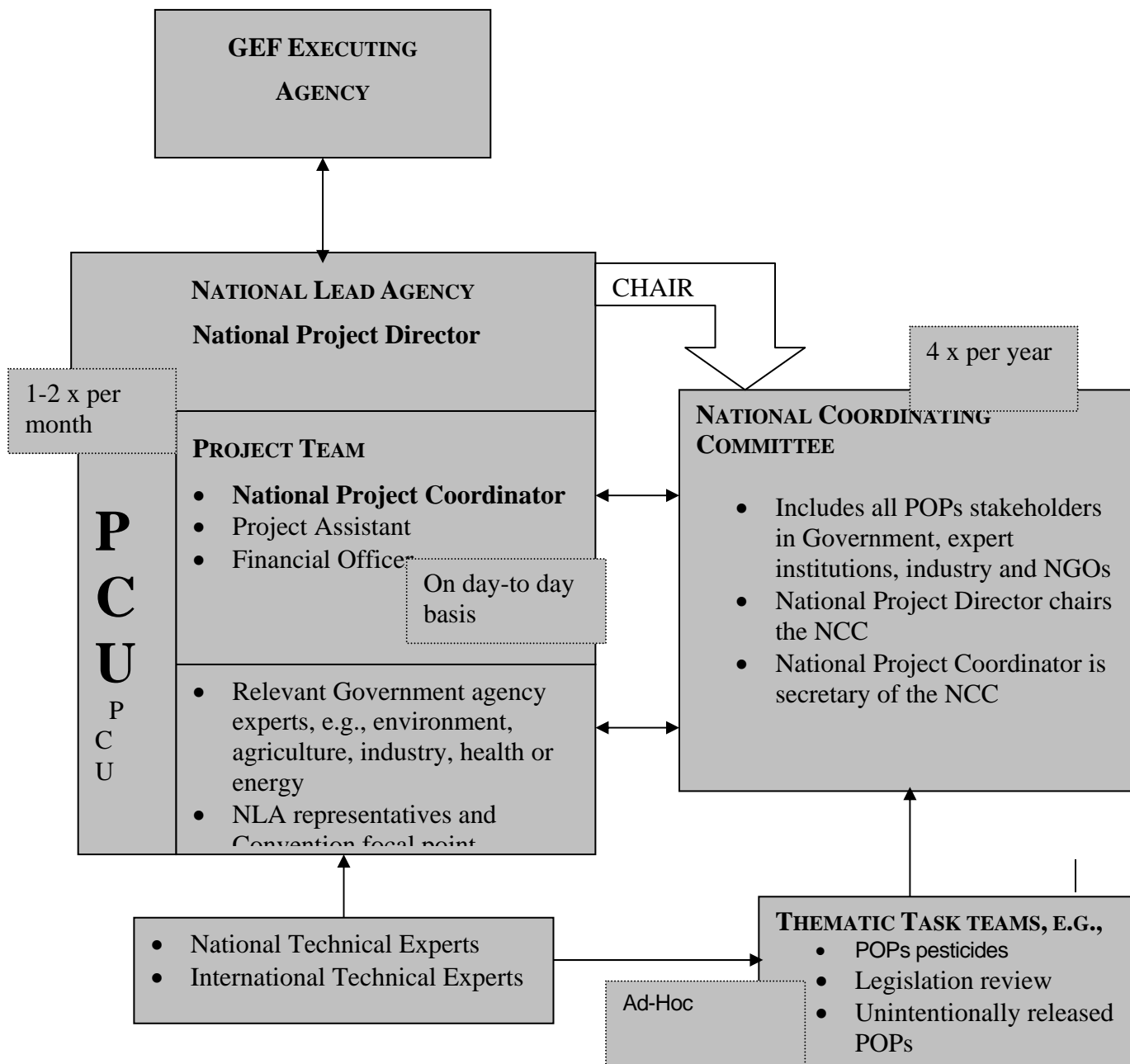
The NCC will facilitate coordination of project activities among national stakeholders and will provide guidance and support for the execution of the project and to the NLA and NPC. Individual members may be responsible for overseeing specific components of NIP development. Collectively, the NCC will contribute to the final review of the NIP. More specifically, it will:

- Endorse the detailed work plan and schedule for the NIP development.
- Identify and recommend public information and awareness raising activities.
- Review and comment on sectoral task teams' composition and work plans.
- Recommend the elaboration and updating of the national profile on chemical management and necessary improvements to the current regulations to accord with the NIP.
- Review and comment project reports, including action plans and strategy documents.
- Ensure that cross-sectoral issues are adequately tackled by sectoral working groups.

### **GEF executing agency**

The GEF executing agency will provide support to the NLA as needed during project implementation. Specifically, support will be provided in the following areas: assistance in project launching, potential participation in NCC meetings, monitoring implementation of the work plan, reviewing project documentation, reviewing, editing and responding to project reports, technical backstopping (providing technical expertise and identifying international experts), supporting policy negotiations, financial management and accountability, advising and consulting during the audit process, preparing budget revisions and facilitating completion of activities.

**Possible project management structure**



## Suggested description of thematic task teams

The task teams, lead by a local technical expert with the possible assistance of international experts, will oversee the detailed gathering of information and consideration of issues for the development of the NIP that relates to their specific task. This will be accomplished through a number of key activities including, *inter alia*:

- Development of a workplan and budget (including expected outcomes, resources required and monitoring procedures) for the duration of their tasks;
- A review of the provisions of the Stockholm Convention relevant to the chemicals being examined;
- Gathering of baseline national-level information (i.e., a subject-specific situation analysis) on the production (intentional or unintentional), use, presence in the environment or humans and disposal of the chemicals being addressed;
- Input of the baseline information mentioned above into the elaboration and updating process for the national profile;
- Consideration of relevant guidance and expertise available from UNEP, other key IOMC organizations and others, where available;
- Developing national-level action plans within a systematic framework through the consideration of the relevant goals set out by the Stockholm Convention for the chemicals, and consideration of key objectives and priority activities that can assist in reaching the goals.

## Reporting to the NPC

In support of capacity-building, the task teams will be composed whenever possible of existing specialized institutions and agencies already appointed by relevant ministries to perform specific tasks. Representatives of academia and various other sectors of the industry that use, distribute and dispose of POPs may also be involved.

The NPC will coordinate the work of the task teams.

## Notes on suggested terms of reference

### National project coordinator

#### Background

Parties to the Stockholm Convention are required to develop NIPs describing how they will meet the obligations set by the Convention. Developing countries and countries with economies in transition are eligible for GEF capacity-building support for enabling activities to strengthen their ability to implement a systematic and participatory process for the preparation and production of NIPs.

A national project executing organization and PCU will be established in each of the countries. The PCU will be responsible for managing the project on a day-to-day basis and for ensuring achievement of project objectives and outputs, including the production of a NIP.

An NPC responsible for the day-to-day execution of project activities will be designated.

#### Principal responsibilities

The NPC will manage the project on a day-to-day basis and is ultimately responsible for ensuring the achievement of outputs and objectives including the production of a NIP.

Under the responsibility of the NPD (see the section on implementation arrangements at the beginning of annex 1 for details), the NPC has the following principal responsibilities:

- To lead and coordinate the day-to-day management of the project and the project staff, including administration of the project in conjunction with the relevant GEF executing agency<sup>11</sup> procedures, accounting for the project and the timeliness of project implementation.
- To lead the development of the detailed project design, in collaboration with the concerned technical experts and in consultation with the NCC. This includes the production of a work plan; preparation of the terms of reference for international and national experts recruited under the project, drafting of contracts for experts, preparation of technical specifications for equipment purchased under the project; cost estimation; activity scheduling, and reporting on the forward planning of project activities and budget expenditures.
- To be fully aware of and familiar with all financial and technical rules, regulations and procedures relevant to project implementation (both GEF executing agency and national). The NPC will also be responsible for ensuring that project staff (and other relevant staff of participating organizations) are aware and familiar with these rules, regulations and procedures, and with their application.
- To ensure the implementation of activities stipulated in the work plan such as workshops, capacity assessments, training, environmental appraisals and inventories.
- To coordinate, monitor, and supervise the activities of consultants and short-term experts providing input to the project, including supervision of the implementation of the activities undertaken by consultants and experts; logistics; the review of technical and progress reports; the achievement of project outputs and objectives; and cost control.
- To liaise with the GEF executing agency to obtain the assistance needed during project implementation, which may include technical directives for project activities or assistance in identifying and engaging experts.
- To liaise regularly with the NCC and the project team and to ensure that the decisions and recommendations of the NCC and the opinions of the project team are fully incorporated within the scope of the project's implementation.
- To ensure that all national stakeholders are identified and are adequately informed of and involved in the project.

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<sup>11</sup> UNEP, UNDP, the World Bank and, for the purpose of enabling activities under the Stockholm Convention, also UNIDO, FAO and WHO.

Duration: the appointment of the NPC will be for the full duration of the project.

### **Qualifications and experience**

The NPC should preferably possess the following or broadly equivalent experience:

- Advanced university degree in natural sciences, environmental sciences, engineering or economics
- Minimum of 6-10 years of professional experience in the field of chemicals management
- Experience with the design and implementation of environmental programmes and projects, including the writing of environmental management plans
- Good communication and management skills
- Computer skills
- Language skill is an additional asset.

### **Reporting requirements**

The NPC should work under the supervision of and report to the NPD. He should regularly report to the NCC on the plans, progress and technical reports of the project.

The NPC should submit quarterly financial and progress reports to the GEF executing agency. These reports should provide for quarterly expenditure accounts as well as indicate the progress achieved in the implementation of the project in this quarter and highlight any problems encountered or foreseen and the proposed solutions to these problems. Deviations from the foreseen timetable for implementation should also be reported.

The members of the NCC may also be provided with copies of the progress reports for information.

## Suggested **national technical expert** position description

### Principal responsibilities

A national technical expert (NTE) will work under the responsibility of the NPC executing the following project activities and responsibilities needed to produce a specific output (as identified in the project document).

- The NTE will be responsible for the following fields of expertise:
  - Sound chemicals management activities
  - Development of legislative, regulatory and enforcement tools to ensure compliance with the Stockholm Convention
  - Analysis and control of industrial pollution and releases
  - BAT<sup>12</sup> and BEP<sup>13</sup> for POPs emission source categories
  - Monitoring of POPs releases and presence in air, water, soils and sediments
  - Management of obsolete stocks and POPs-contaminated sites
  - Socio-economic implications of POPs reduction and elimination
  - Sampling and analytical methods of POPs in different media
  - Monitoring of POPs residues in food and POPs human exposure
  - Awareness raising and public involvement
  - Environmentally sound disposal of POPs
- The NTE may be requested to propose candidates for the task team and prepare the terms of reference for their positions.
- The NTE may organize and/or provide (with or without international technical expert assistance) training and guidance to the task team responsible for specific tasks.
- The NTE will be responsible for verifying the work of the various task teams, ensuring the technical validity of their work and products.
- The NTE will be responsible for compiling the products of the task team work and for producing (with or without international technical expert assistance) the final document as agreed with the NPC.
- The NTE will closely cooperate with an international technical expert (ITE) in his or her field of expertise and provide the ITE with necessary local support.

**Duration:** the appointment of the NTE will be for a given number of months, distributed according to his tasks throughout the whole duration of the project.

### Qualifications and experience

Expertise and experience necessary for the tasks assigned, which might include or be equivalent to:

- Advanced university degree in a relevant field (natural sciences, environmental sciences, engineering, economics, law)

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<sup>12</sup> Best Available technology

<sup>13</sup> Best Environmental Practice

- Minimum 6 years of professional experience
- Experience in the design, implementation and management of environmental programmes and projects, including the writing of environmental management plans
- Experience in management and state administration
- Good national legislative knowledge from relevant fields (environment, health protection, chemicals management and industrial pollution)
- Good communication and training skills
- Computer skills
- Knowledge of one official United Nations language is required

## Suggested **project assistant** position description

### **Principal responsibilities**

The project assistant will assist the NPC in the management of day-to-day activities and will participate in project implementation.

He or she will have the following responsibilities:

- To participate in day-to-day activities relating to project implementation and provide assistance to the NPC.
- To be responsible for daily communication with project partners and for daily tasks (such as organizing workshops/meetings/training, preparation of background documents) that do not require NPC participation.
- To participate in project team and NCC meetings, prepare the minutes of the meetings and distribute them to participants, to maintain the day-to-day records of project implementation.
- To maintain the project web site.

**Duration:** the project assistant will be recruited for the full duration of the project.

### **Qualifications**

The individual should have expertise or experience such as listed below or broadly equivalent.

- Minimum of 1 year experience assisting in project management
- University degree in natural sciences, management or economics
- Experience with project implementation
- Good communication and management skills
- Computer skills
- Language skill is an asset.

## Suggested **financial officer** position description

### **Principal responsibilities**

The financial officer will assist the NPC in the day-to-day running of all financial operations. The responsibilities of the financial officer include:

- Reporting on a weekly basis on the financial status of the project team
- Timely paying invoices upon approval of NPC
- Invoicing external entities and controlling payments; Alerting NPC when problems appear
- Preparing financial inputs for the quarterly reports of NPC
- Screening and compiling the financial documentation to be submitted on a monthly basis
- Technical cooperation with banks (opening accounts, controlling, closing accounts)
- Managing the cash reserve of the project team
- Assisting the NPC in auditing the project
- Managing VAT recovery and preparing tax declarations
- Managing the payroll of the project team
- Cooperating on the preparation of the quarterly financial budgets

### **Qualifications and experience**

The individual should have qualifications or experience broadly equivalent to the list below.

- Experience in running financial operations listed in the job description above
- Professional degree in economics, accounting or equivalent is an advantage
- Familiarity with relevant legal regulations
- Experience in work in international or foreign assistance programs will be a great advantage
- Familiarity with relevant professional computer programs
- Good interpersonal relations skills

**Duration:** the financial officer will be recruited for the full duration of the project, but possibly on a part-time basis.

### **Reporting requirements**

The financial officer will report directly to the NPC.

## Suggested terms of reference for **international consultants**

International consultants would contribute to capacity-building in countries by assisting country project teams in the execution of relevant activities, by supporting technical work and providing advice and necessary training in specified fields of expertise.

### **Tasks**

The specific tasks for international consultants would be decided on a case-by-case basis to meet project needs but might include technical assistance and technical advice in the following specified fields of expertise:

- Design of environmental programs and projects
- Environmental appraisals and audits
- Sound chemicals management, including POPs management in particular
- Industrial pollution by POPs
- BAT and BEP for POPs source categories
- Environmentally sound management of hazardous waste containing POPs
- Environmentally sound POPs destruction and disposal
- Remediation of POPs-contaminated sites
- Evaluation of POPs health impact
- Evaluation of POPs environmental impact
- Evaluation of POPs socio-economic impact
- Sampling and analyzing POPs
- POPs emission inventories
- POPs alternatives to be used for disease vector control
- POPs alternatives in termite control
- POPs alternatives in agricultural uses
- POPs alternatives in industrial uses
- Assessment of costs and cost-benefit analyses
- Legislation and infrastructure
- Enforcement and compliance

More specifically and as appropriate, international experts may:

- Assist in the assessment of national institutional capacities for POPs management; national POPs legislative, regulatory and enforcement capacities; national BAT and BEP capacities, national POPs socio-economic/health/environmental impacts; socio-economic implications of POPs reduction/elimination and POPs monitoring and research and development capacity;
- Provide relevant training and advice to the task teams and review documents and reports they prepare;

- Assist in the development and review of national POPs inventories;
  - Assist in development of criteria for prioritizing POPs and options for POPs reduction and elimination;
  - Provide advice on identifying barriers to the phase-out, reduction, remediation and disposal of POPs and actions to remove them, raising awareness and information exchange mechanisms, necessary capacity-building activities technology and know-how transfer needs and estimation of investment costs;
  - Lead the work related to identification of NIP targets, timeframes and indicators;
  - Conduct the initial cost estimate for NIP execution.

### **Professional competencies and experience**

International consultants should possess suitable experience and qualifications broadly equivalent to the following:

- Advanced degree in natural sciences, environmental sciences, engineering, chemicals legislation or economics
- Minimum 10-15 years of professional experience, preferably in the region
- Understanding of legislation in the area of the environment and chemicals management relevant to the assignment
- Good interpersonal and training skills
- Very good written and spoken English and/or other United Nations languages (Arabic, Chinese, French, Russian, Spanish)
- Knowledge of POPs issues and of Stockholm Convention provisions.

### **Logistics and costs**

The project location will be in the country preparing the NIP, but it is expected that consultants will be in the country only for the time needed for the provision of their expertise.

The project will cover travel costs in addition to consultancy fees.

## **Annex 2**

### **POP pesticide production and use assessment**

This module addresses baseline data gathering and assessment of POPs pesticides. Particular care is required to address DDT due to its use for vector control, which may be under the responsibility of authorities other than those responsible for primarily agricultural chemicals. In addition, it is important that all uses of HCB (industrial as well as pesticide) be properly addressed. Specialists with knowledge of each of these areas might be included in the task teams.

#### **Objective**

The objectives of a POPs assessment are:

To review and summarize the production, use, import and export of the chemicals listed in Annex A and Annex B of the Convention (excluding PCB, which is covered by the PCB assessment module set out in annex 3).

To gather information on stockpiles and wastes containing, or thought to contain, POPs pesticides.

To assess the legal and institutional framework for control of the production, use, import, export and disposal of the chemicals listed in Annex A and Annex B (excluding PCBs) of the Convention.

To identify gaps in information required to complete the assessment.

To identify whether the current situation meets the requirements of the Stockholm Convention and detail areas where it does not.

#### **Outcome**

Report detailing knowledge on historical and current production, import, export, use, stockpiles and waste disposal for POP pesticides

Assessment of the legal, institutional, regulatory and enforcement systems for POP pesticides

Assessment of the data gaps and deficiencies in the knowledge on POP pesticides

#### **Primary responsibility**

It is likely that a focused task team would be assigned the responsibility to carry out this assessment. This team would report back to the PCU as agreed.

The task team for this assignment should be made up people in the country responsible for work on pesticides and in particular any initiative to address the process of moving from a chemical-based approach to a more integrated pest management system and also any initiatives to improve chemicals management, licensing, control, use and waste disposal.

It is particularly important that officials with responsibility for public health and vector control be included in the assessment of DDT. It is also important that links be made between the authorities responsible for vector control and those responsible for agricultural use of pesticides since DDT can become a valuable commodity for the agricultural sector and unauthorized "leakage" might occur from authorized use for vector control to other areas.

Experience from on-going programmes in identifying and dealing with obsolete stocks of pesticides should be used and built upon where possible.

#### **Tasks**

Establish a mechanism for making the assessment on POPs pesticides, develop a plan for the process to assign responsibilities and set time lines.

Review and summarize the existing legal and institutional framework that covers production, import, export, use, licensing, storage, handling and disposal of pesticides, formulated products, containers and residuals. Compare the legal framework to the requirements of the Stockholm Convention. Compare the existing system against the requirements of the Stockholm Convention and identify any deficiencies in policy, implementation and enforcement.

Carry out a preliminary inventory:

- For each chemical, summarize information, to the extent possible, on production, import, export, uses in the country, presence in stockpiles and data on wastes.
- It is valuable to record the availability of data and effectiveness of relevant information systems and to make some assessment of the reliability and quality of the data. This can help to identify and classify gaps and needs for additional data gathering and generation.
- The resulting information should show for each chemical whether it is now or was previously produced, imported, exported and formulated in the country, and if so, where and in what quantities. It should also reveal any past or current uses and the characteristics of the use (i.e., the scale and nature of the operation – individual farmers, pattern of use for vector control, etc.), conditions of storage and handling for stockpiles and stores and known or suspected presence in wastes or abandoned stores.

Any inventory activities that require physical inspection of pesticides in storage, use, stockpiles or wastes should only be carried out by staff with adequate training and protective equipment. The FAO series of manuals on obsolete pesticides should be consulted for guidance. For example, the “Training manual for inventory taking of obsolete pesticides”, FAO Pesticide Disposal Series 10, contains information on issues including pesticide inventory taking and management, proper protective equipment and necessary health and safety measures.

Gather information on sites that may have been used or are being used to manufacture, formulate or handle POPs (including wastes) in a manner that may have caused site contamination.

Identify programmes or initiatives in the country that are relevant to POPs pesticide management or replacement – for example, obsolete pesticide activities, integrated pest management programmes or proposals for these.

## **Method and approach**

The task team would develop a plan which would be approved by the PCU (and, if appropriate, the NCC).

Existing data sources and programmes would be drawn on for baseline information.

A strategy would be drawn up for information gathering suited to the resources available, including a projected time frame. The best way to generate the necessary information is likely to vary from country to country depending on the situation and the nature of chemicals management and the scale and uses of POPs.

Attention should be given to difficulties that are likely to be encountered in carrying out a complete inventory of obsolete pesticides. Innovative and imaginative methods may need to be developed, for example, to find stocks of pesticides stored by individual farmers in unofficial stores.

Field work, whether initial inventories or complete inventories and site assessments, should be carried out by properly trained and equipped staff.

## **Guidance**

Information and programmes on obsolete pesticides is available from FAO, including on CD ROM.

Training manual for inventory taking of obsolete pesticides, FAO Pesticide Disposal Series 10, Rome  
 Crosschecking Tool For Informed Decision Making in the Development of Action Plans on Pesticides Under The Stockholm Convention.

## **Annex 3**

### **PCBs Assessment**

#### **Background**

Article 3 of the Convention sets out obligations relating to PCBs, as manufactured chemicals, with specific details of how PCBs should be addressed set out in Annex A, Part II, in recognition of the widespread use of PCBs in long-lived electrical equipment.

The Convention allows for PCBs to be used in equipment (e.g., transformers and capacitors), while setting out priorities for action toward the goal of eliminating them by 2025 (subject to review by the Conference of the Parties) at the latest. Priorities for action for identifying PCB equipment are set out in Annex A, Part II. If PCB-containing equipment is to remain in use, then Parties must promote measures to reduce exposure to PCBs. Removal and elimination of PCBs from equipment must be carried out in an appropriate manner.

Parties are not specifically required to perform assessments of PCBs and no timetable is provided other than that applicable to the ban on production, which is effective immediately upon entry into force of the Convention, and the 2025 deadline for the elimination of defined PCB use. However, effective control of PCB use and disposal would require:

- Knowledge of PCBs in use and in unused equipment or stockpiled for disposal;
- Understanding of the condition and operation of PCB-containing equipment;
- Suitable controls on the movement, maintenance and handling of any equipment containing PCBs (subject to definitions consistent with Convention obligations);
- The availability of appropriate waste management systems;
- Appropriate and effective monitoring and reporting of PCB equipment use, movement, sale and disposal.

This annex sets out steps intended to assist a country to gather enough information about its situation with respect to PCBs so that it can design NIP provisions that deal effectively with PCBs.

#### **Objectives**

To assess current uses of PCBs within the country and to understand the likely quantities, equipment types, holders, operational practices, health and safety management and end-of-life treatment of PCB-containing equipment and materials.

#### **Tasks**

Gather background information on PCB use in the country, including any measures taken to identify stocks, equipment, production sites, contaminated sites and disposal routes, as well as any data on environmental contamination and monitoring.

Review documents to provide briefing on PCB uses and likely issues.

Consider formulating guidance on appropriate management of PCB-containing equipment. Such guidelines should be aimed at minimizing PCB leakage, ensuring that equipment is tracked and monitored in order to reduce environmental risk, ensuring that PCB-containing equipment is isolated from food and feed production and promoting measures to reduce risks of electrical failure and fire. This guidance should be in a form suitable for distribution to any users of PCBs identified during the process of inventory development.

Carry out a preliminary inventory of PCB uses, equipment, storage and disposal in the country. Where site visits are carried out, these could be used for labelling and registration of PCB-containing equipment and equipment likely to contain PCBs to facilitate tracking ownership of such equipment and to indicate to people handling such equipment that it is subject to specific controls. The UNEP document "Guidelines for the Identification of PCBs and Materials Containing PCBs" (UNEP, 1999) contains valuable information and suggestions for inventory compilation, as does "Identification of PCB

Containing Capacitors – an Information Booklet for Electricians and Electrical Contractors” (ANZECC 1997).

Review and report on current legislative controls on the use, handling, monitoring and disposal of PCB-containing equipment and any compliance and enforcement systems and their effectiveness.

### **Approach and method**

The task team would organize an outline project plan at the outset of the process. An initial step could be to assign tasks to individuals within the task team and nominate areas in which outside assistance would be used (for example, in the inventory compilation). It is likely that regular reports of progress would be made to the PCU.

Stakeholder interaction should be planned at the outset. This might be best addressed via the existing NCC or it may be that a more focused approach is required specifically for PCBs. The mechanism and approach selected would depend on resources, the composition and terms of reference of the NCC and the composition and plan of the task team.

### **Guidance documents**

Guidelines for the Identification of PCBs and Materials Containing PCBs (UNEP, 1999)

PCB inventory form – Inventory of PCB-Containing Equipment (UNEP, August 2002)

Identification of PCB-Containing Capacitors – an Information Booklet for Electricians and Electrical Contractors (ANZECC, 1997)

PCBs: A Compilation of Information Derived from HELCOM Recommendations, EU-Directives, UN-ECE-LRTAP, UNEP and OSPAR, and Analysis of Appropriate Measures Aiming at Safe Handling and Reduction of Releases of PCB from PCB-Containing Equipment in Use (HELCOM, 2001).

PCBs – A Compilation and Evaluation of the Information Given by the Contracting Parties With the Focus on Legislative Situation, Current Uses, Stockpiles and Releases (HELCOM, 2001)

Framework for the Management of PCBs (IFCS, 2002)

PCB Transformers and Capacitors – from Management to Reclassification and Disposal (UNEP, 2002)

## **Annex 4**

### **Unintentionally produced chemicals assessment**

#### **Background**

Article 5 of the Convention requires each Party, within two years of entry into force of the Convention for the Party, to develop an action plan, or where appropriate, a regional or subregional action plan, designed, among other things, to identify, characterize and address the unintentional release of POPs listed in Annex C to the Convention. An assessment of unintentionally produced chemicals should be undertaken in order to provide the information required for elaboration and implementation of the action plan required under Article 5.

#### **Objective**

To carry out a preliminary evaluation of current and projected releases of the chemicals listed in Annex C of the Convention.

To detail existing laws and policies relating to the management of releases of these chemicals and to evaluate their effectiveness and deficiencies.

#### **Outcome**

An initial inventory of releases of chemicals listed in Annex C of the Convention to all media, their presence in products and wastes, and indications of potentially contaminated sites.

A report on the relevant laws, policies and enforcement and control systems that control releases and determine technology and operational restrictions applied to source categories.

#### **Primary responsibility**

Task team, reporting to the PCU and assisted by external experts as required

#### **Tasks**

Review the availability of expertise and the tasks to be undertaken. Arrange for training or external input to ensure that staff members are suitably prepared to carry out the tasks.

Evaluate current and projected future releases of unintentionally produced POPs. The UNEP “Standardized Toolkit for Identification and Quantification of Dioxin and Furan Releases” (2003) provides a methodology for making inventories of dioxins and furans using a country’s activity data combined with emission factors. This activity should be coordinated with any pre-existing national inventory or PRTR programme.

The current UNEP toolkit does not address releases of PCBs or HCB. There is comparatively little information about releases of PCBs and HCB as unintentionally produced POPs. A review of information on PCB releases is available in “PCB and PAH Releases from Incineration and Power Generation Processes” (Environment Agency (England and Wales), 2002).

Evaluate alternative materials, products and processes that prevent the formation of unintentional POPs for each source category listed in Annex C to the Convention, parts II and III.

Summarize provisions of relevant laws which control releases from the processes identified in the inventory, listing any emission limit values, technology restrictions and monitoring requirements for air, land and water releases. Also review the effectiveness of any existing monitoring programmes and the availability of qualified contractors or experts to carry out testing and analysis.

Outline a plan or strategy for promoting awareness, training and education with respect to measures to achieve reductions in releases designed to achieve effective participation by stakeholders with influence over releases and the wider community. This should be linked to the more general work on awareness and communication related to all POPs.

Identify sources of expertise within the country and the availability of technical resources such as analytical facilities and laboratories able to take adequate samples, gather summary information on costs, experience and lead times to help with planning studies or monitoring that may be considered.

Engage with officials and experts on agriculture and trade to ensure that any relevant initiatives which might address required levels of residual contamination of food, animal feed or other products with unintentionally produced POPs are flagged and considered in NIP development.

Present a summary of the current situation, projected future releases and options to meet obligations.

### **Method and approach**

The task team would be responsible for planning and managing the process with guidance from the PCU.

Inventories would be compiled by the task team, external experts working with the task team or others. Close coordination with the PCU would be important. Other tasks would be coordinated by the task team and carried out by designated individuals or groups. A wider group of stakeholders could be used to generate information throughout the process .

UNEP could provide help on inventory compilation and interpretation.

### **Relevant guidance**

Standardized Toolkit for Identification and Quantification of Dioxin and Furan Releases (UNEP, 2003)

PCB and PAH Releases from Incineration and Power Generation Processes, R&D Technical Report P4-052/TR (Environment Agency (England and Wales), 2002)

## Annex 5

### Recommended elements for consideration in outline of NIP

(Name of Country)

#### National Implementation Plan for Persistent Organic Pollutants

##### Executive summary

The executive summary would be a concise overview of the major points in the NIP, two to four pages in length, suitable for circulation as a stand-alone document. It would typically cover a country's commitment to implement a NIP, the objectives of the Convention, national priorities and key issues, targets for implementation and resource requirements.

##### 1. Introduction

Chapter 1, the introduction, would outline the purpose and structure of the NIP, including a summary of the Stockholm Convention, its aims and its obligations. It would describe the mechanism used to develop the NIP and the stakeholder consultation process. A summary of the POPs issue would provide context and background outlining the chemicals, their uses and the problems they cause.

##### 2. Country baseline

Chapter 2 would provide basic background information relevant to the NIP. It would describe the current situation and state of knowledge in the country about POPs and the status of institutional and other capacity to address the problem. Countries that have developed a UNITAR national profile or a UNDP country profile could use these as the starting point.

##### 2.1 Country profile

- 2.1.1 Geography and population
- 2.1.2 Political and economic profile
- 2.1.3 Profiles of economic sectors
- 2.1.4 Environmental overview

The country profile subchapter would give a brief country profile in order to place the NIP strategies and action plans in a country-specific context. It would summarize information on geography and population, membership in regional and subregional organizations, the country's political and economic profile, profiles of potentially important economic sectors in the context of the POPs issue and overall environmental conditions and priorities in the country.

##### 2.2 Institutional, policy and regulatory framework

- 2.2.1 Environmental policy, sustainable development policy and general legislative framework
- 2.2.2 Roles and responsibilities of ministries, agencies and other governmental institutions involved in POPs life cycles (from source to disposal, environmental fate and health monitoring)
- 2.2.3 Relevant international commitments and obligations
- 2.2.4 Description of existing legislation and regulations addressing POPs (manufactured chemicals and unintentionally produced POPs)
- 2.2.5 Key approaches and procedures for POPs chemical and pesticide management including enforcement and monitoring requirements

The institutional, policy and regulatory framework subchapter would describe the present overall institutional, policy and regulatory framework within which the NIP would be implemented. It would also cover more detailed baseline information about the POPs issue such as the status of action and implementation activities under related Conventions or regional and subregional agreements.

##### 2.3 Assessment of the POPs issue in the country

- 2.3.1 Assessment with respect to Annex A, part I chemicals (POPs pesticides): historical, current and projected future production, use, import and export; existing policy and regulatory framework; summary of available monitoring data (environment, food, humans) and health impacts.
- 2.3.2 Assessment with respect to Annex A, part II chemicals (PCBs)
- 2.3.3 Assessment with respect to Annex B chemicals (DDT)
- 2.3.4 Assessment of releases from unintentional production of Annex C chemicals (PCDD/PCDF, HCB and PCBs)

- 2.3.5 Information on the state of knowledge on stockpiles, contaminated sites and wastes, identification, likely numbers, relevant regulations, guidance, remediation measures and data on releases from sites
- 2.3.6 Summary of future production, use and releases of POPs – requirements for exemptions
- 2.3.7 Existing programmes for monitoring releases and environmental and human health impacts, including findings
- 2.3.8 Current level of information, awareness and education among target groups; existing systems to communicate such information to the various groups; mechanism for information exchange with other Parties to the Convention
- 2.3.9 Relevant activities of non-governmental stakeholders
- 2.3.10 Overview of technical infrastructure for POPs assessment, measurement, analysis, alternatives and prevention measures, management, research and development – linkage to international programmes and projects
- 2.3.11 Identification of impacted populations or environments, estimated scale and magnitude of threats to public health and environmental quality and social implications for workers and local communities
- 2.3.12 Details of any relevant system for the assessment and listing of new chemicals
- 2.3.13 Details of any relevant system for the assessment and regulation of chemicals already in the market

Subchapter 2.3 would provide the current state of knowledge about POPs in a country. It should address each POP listed in the annexes of the Convention and the various subject areas addressed in the Convention articles, including inventory information, current technical, management and monitoring capacity, potential impacts and the level of public awareness and concern.

### **3. Strategy and action plan elements of the national implementation plan**

Chapter 3 would have two elements :- a formal policy statement and the implementation strategy for the NIP. The implementation strategy would set out specific action plans or strategies to achieve Convention obligations and any additional objectives set by the country.

#### **3.1 Policy statement**

This subchapter would outline the Government's commitment to addressing the POPs issue, including the formal adoption or endorsement of the NIP. It would also, if appropriate, define how the NIP would be integrated within the country's overall environmental policies and sustainable development strategy.

#### **3.2 Implementation strategy**

Subchapter 3.2 would detail the actions included in the NIP to meet the obligations of the Stockholm Convention. It would outline a framework mechanism to coordinate discrete NIP activities including review, reporting, evaluation and updating of the NIP.

#### **3.3 Activities, strategies and action plans**

- 3.3.1 Activity: institutional and regulatory strengthening measures
- 3.3.2 Activity: measures to reduce or eliminate releases from intentional production and use
- 3.3.3 Activity: production, import and export, use, stockpiles and wastes of Annex A POPs pesticides (Annex A, part I chemicals)
- 3.3.4 Activity: production, import and export, use, identification, labelling, removal, storage and disposal of PCBs and equipment containing PCBs (Annex A, part II chemicals)
- 3.3.5 Activity: production, import and export, use, stockpiles and wastes of DDT (Annex B chemicals) if used in the country
- 3.3.6 Activity: register for specific exemptions and the continuing need for exemptions (Article 4)
- 3.3.7 Action plan: measures to reduce releases from unintentional production (Article 5)
- 3.3.8 Activity: measures to reduce releases from stockpiles and wastes (Article 6)
- 3.3.9 Strategy: identification of stockpiles, articles in use and wastes
- 3.3.10 Activity: manage stockpiles and appropriate measures for handling and disposal of articles in use.

- 3.3.11 Strategy: identification of contaminated sites (Annex A, B and C Chemicals) and remediation in an environmentally sound manner
- 3.3.12 Activity: facilitating or undertaking information exchange and stakeholder involvement
- 3.3.13 Activity: public awareness, information and education (Article 10)
- 3.3.14 Activity: effectiveness evaluation (Article 16)
- 3.3.15 Activity: reporting
- 3.3.16 Activity: research, development and monitoring (Article 11)
- 3.3.17 Activity: Technical and financial assistance (Articles 12 and 13)

Subchapter 3.3 would list country-specific activities, action plans and strategies, including those required by the Convention, designed to meet Convention obligations. Each would identify aims, actions and needs. A logical framework matrix could be used to indicate steps in each area and clearly identify where work is needed. Additional measures beyond the minimum requirements would also be presented. The process for periodic review and updating would be explained.

#### **3.4 Development and capacity-building proposals and priorities**

Subchapter 3.4 would detail the priority areas where current capacity and capability need to be strengthened to achieve the objectives of the NIP. Priorities based on the need to meet Convention obligations and country priority issues would be highlighted.

#### **3.5 Timetable for plan implementation and measures of success**

This subchapter would summarize the principal targets contained in the detailed strategy, outlining specific targets, milestones and performance indicators to allow progress to be reviewed and monitored.

#### **3.6 Resource requirements**

Subchapter 3.6 would detail the projected costs of measures included in the NIP. Incremental costs for measures would be identified and potential sources of funding for both incremental costs and baseline costs would be noted. In accordance with Article 13 of the Convention, alternate sources of funding would be considered, as appropriate, by countries that are seeking development assistance.

#### **Annexes**

Annexes could be used to provide detailed background data and information, specific action plans and other relevant information to meet the objectives of the NIP while keeping the main document clear and simple in structure. Such annexes might include:

- A1: Government and key stakeholder endorsement documents
- A2: Record of stakeholder and public consultation
- A3: Representative public information materials
- A4 Supporting information on chemicals
- A5 Details of relevant international and regional treaties
- A6 Country history in addressing the pops issue

## Annex 6

### Notes on socio-economic assessment (extracted from the OECD technical guidance document)

#### WHAT IS SOCIO-ECONOMIC ANALYSIS IN CHEMICALS MANAGEMENT?

The objective of socio-economic analysis of POPs use is to inform decision makers of the social and economic costs and benefits of implementing the Stockholm Convention.

Decision making is about making choices as to the best way forward. As a general rule, decision makers will want information on the impacts of choosing one course of action over another. This includes information on the impacts on industry, regulators, professional users, consumers, the environment and society more generally and covers:

- The nature and characteristics of the risks of concern
- The types of regulatory and non-regulatory measures that could be adopted to reduce or mitigate damage
- The costs of risk reduction and their distribution, where this includes costs to industry, consumers, regulators and society more generally
- The benefits of risks reduction and their distribution, where these may relate to environmental and human health gains or to increased technical or product innovation
- The wider trade, competition, and economic development implications of adopting a change in policy

How such information is developed and how the tools are used in analyzing the information falls under the general heading of socio-economic analysis. The aim of socio-economic analysis within the field of chemical risk management is to assist the decision making process by making explicit the implications of choosing one risk management option over another.

#### SOCIO-ECONOMICS OF POPs CHEMICALS

In list form, the analysis of the socio-economic impact of POPs control under the Stockholm Convention will encompass:

1. The characterization of the problems leading to POPs use
2. The characterization of the impacts of using POPs
3. The assessment of the social and economic values of producing or using POPs (e.g., contribution to GDP, contribution to public health improvement, impact on human health and environment)
4. The analysis of alternative management options, for example,
  - Regulations
  - Replacement
  - Stakeholder involvement
5. The analysis of the economic and social effects and the cost of POPs reduction or phase-out
6. Recommendations on meeting the social and economic cost of controlling or banning POPs

In the framework of NIP problem characterization, the first two categories of data listed above (1 and 2) would be collected mostly during the development of the country baseline. The collection effort would likely include:

- identifying the potential risk generating activities for the substance or uses of the substance of concern
- collecting preliminary data on the societal value of the substance or uses of concern, including current market levels and trends in usage, and the availability of substitute chemicals or processes
- identifying why policy intervention may be necessary
- undertaking a screening level risk assessment to determine the impact of the substances
- identifying available regulations and their adequacy

### **Detailed data collection**

- Information on the number of companies using a substance, levels of use, and expected trends in use
- Details of the implications of a proposed option in terms of any changes required to existing processes and/or end-products (technologies used, chemicals used, level of treatment, product quality and/or availability, etc), reporting, monitoring, enforcement or other requirements
- Data on the capital and/or recurring costs (and/or savings) associated with the introduction of a proposed option
- Information on rates of and potential for technological change for the sector of concern
- Prediction of effects, in terms of human health and environmental risks

### **Data analysis and appraisal of options**

Analysis of the above data will generate information on the predicted impacts of adopting alternative risk management options. It is likely that the analysis will be aimed at producing information on:

- The costs (or savings) to industry and business (usually broken down by sector or type of activity) of adopting a given option
- The need to correct market failures (e.g., cost penalty for discharging a chemical into the environment) or to correct distortions introduced into markets as a result of Government policy
- Impacts on trade and the competitiveness of productive sectors (e.g., from raw material producers to formulators to secondary manufacturers)
- Impacts on consumers in terms of increased product prices, changes in quality of end products, reduced availability of particular products, etc.
- Impacts on regulators associated with changes in regulations and their monitoring and enforcement
- Predictions of the environmental and human health benefits (and costs) arising from an option
- Predictions of indirect or secondary effects related to changes in employment or impacts on other sectors of the economy
- Impacts on small and medium sized enterprises, to the extent they vary from those of larger companies.

**Annex 7**  
**Process Flow Chart**

