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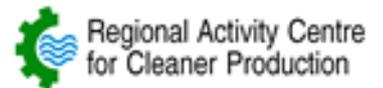
Implementation of the Strategic Approach to International Chemicals Management: implementation of and coherence among international instruments and programmes

Study on synergies in the implementation of international instruments among signatories to the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean

Note by the secretariat

The secretariat has the honour to circulate, in the annex to the present note, the summary and conclusions of a study on the implementation of and synergies between 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, the Stockholm Convention on Persistent Organic Pollutants and the Strategic Approach to International Chemicals Management within the signatories to the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (Barcelona Convention). The document has been reproduced as received from the Regional Activity Centre for Cleaner Production, one of the six regional activity centres of the Mediterranean Action Plan under the Barcelona Convention. It is provided for the information of the Conference without formal editing.

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Annex

Summary and conclusions of the Study on the implementation and synergies among Basel, Rotterdam and Stockholm conventions and the Strategic Approach to International Chemicals Management (SAICM) within the Barcelona Convention signatories

19th March 2009





The full report and the presentation can be downloaded at

<http://www.cprac.org>

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In 1975, 16 Mediterranean countries and the European Community adopted the Mediterranean Action Plan (MAP), the first-ever Regional Seas Programme under UNEP's umbrella.

In 1976, these Parties adopted the **Convention for the Protection of the Mediterranean Sea Against Pollution (Barcelona Convention)**. In 1995, the Contracting Parties were 22 (Albania, Algeria, Bosnia and Herzegovina, Croatia, Cyprus, Egypt, European Commission, France, Greece, Israel, Italy, Lebanon, Libya, Malta, Monaco, Montenegro, Morocco, Slovenia, Spain, Syria, Tunisia and Turkey).

The Convention's main objectives are:

- to assess and control marine pollution
- to ensure sustainable management of natural marine and coastal resources;
- to integrate the environment in social and economic development;
- to protect the marine environment and coastal zones through prevention and reduction of pollution, and as far as possible, elimination of pollution, whether land or sea-based;
- to protect the natural and cultural heritage;
- to strengthen solidarity among Mediterranean coastal States;
- to contribute to the improvement of the quality of life.

The Convention has 7 protocols addressing specific aspects of Mediterranean environmental conservation: Dumping Protocol (from ships and aircraft), Prevention and Emergency Protocol (pollution from ships and emergency situations), Land-based Sources and Activities Protocol, Specially Protected Areas and Biological Diversity Protocol, Offshore Protocol (pollution from exploration and exploitation), Hazardous Wastes Protocol and the Protocol on Integrated Coastal Zone Management (ICZM).

The **Regional Activity Centre for Cleaner Production (RAC/CP)** is one of the six Regional Activity Centres (RAC) of the Mediterranean Action Plan (MAP) for the Barcelona Convention, and the Spanish Ministry of Environment and the Government of Catalonia sponsors it. The main objective of CP/RAC is the promotion and dissemination of pollution prevention and reduction at source in the industrial, agricultural and tourism sectors, as well as promotion of sustainable consumption in the Barcelona Convention countries.

As part of its activities in Sound Chemicals Management, the RAC/CP has recently been nominated as Subregional and Regional Centre of the Stockholm Convention for capacity building and technology transfer in the Mediterranean region.



In this context, this report is the contribution of the MAP to the II International Conference on Chemicals Management for the SAICM (Strategic Approach to International Chemicals Management) implementation, aimed at enhancing cooperation and coordination of the Barcelona Convention countries relating to Stockholm, Basel, Rotterdam Conventions and SAICM.

Coordination and cooperation

Conventions and international strategies described above have clear similarities in terms of their general scopes. Whether approaches to certain hazardous chemicals such as the persistent organic pollutants (POPs) or at certain stages of their life cycle such as waste transboundary movements, all of them point to one main objective: the sustainable management of chemicals, from production, classification, transport to waste management. Thus, all the proposed measures contribute to this purpose in different extends, therefore it is strongly recommended that actions to implement the various agreements are properly coordinated in order to take advantage of synergies and avoid duplication of efforts by countries, facilitating the compliance with all of them.

For this reason, the Basel, Rotterdam and Stockholm conventions have adopted decisions through which it was agreed to establish an ad hoc joint working group (the "AHJWG") to prepare joint recommendations for greater cooperation and coordination between the three conventions and for submission to the respective Conference of the Parties.

Collection of information

In order to obtain the required information to elaborate this study, a questionnaire has been developed and sent to the National Focal Points of CP/RAC and the Conventions in MAP countries¹. National Focal Points have been asked to distribute the questionnaire to competent government representatives in order to complete the different areas of information included in the questionnaire. The questionnaire has been prepared in order to collect relevant information regarding the implementation of the conventions and synergies identified among them.

From the 22 countries comprised within the scope of this study, 12 National Focal Points have submitted the completed questionnaire: Croatia, Cyprus, Egypt, France, Israel, Lebanon, Libya, Monaco, Montenegro, Serbia¹, Syria and Turkey.

¹ The scope of the study includes Serbia despite the fact that does not belong to the Barcelona Convention, due to its specific interest in participating, and the RAC/CP, as nominated Subregional and Regional Centre of the Stockholm Convention for capacity building and technology transfer in the Mediterranean region, has the obligation to promote the transfer of knowledge among Mediterranean and European countries.

Besides the questionnaire, information has been collected from National Implementation Plans (NIPs) and/or national reports submitted to the Secretariat of Stockholm Convention and other reporting related with Basel, Rotterdam conventions and SAICM (in particular, the temporary questionnaire for reporting on SAICM implementation). These sources have been especially considered in those countries that have not responded the questionnaire.

Analysis and integration of information

All the information collected through the different methods detailed above, has been processed, analysed, and aggregated results have been generated for the whole Mediterranean Region.

The full study (more than 150 pages) can be downloaded at the website of CP/RAC (<http://www.cprac.org>), and a power point presentation has been prepared to be presented at the ICCM2.

As **main conclusions** extracted from the study, we can remark that:

1. There are still some countries presenting a **complete lack of information regarding the implementation of the Stockholm Convention**; they are **Bosnia & Herzegovina, Greece, Italy** and **Malta**. According to the website of the Stockholm Convention, six Mediterranean countries have not ratified the Convention, i.e.: **Bosnia & Herzegovina, Israel, Italy, Montenegro, Serbia and Turkey**.
2. The level of implementation of the Stockholm Convention in the Mediterranean region varies between the countries considered as developed and developing ones. As expected, the **developed countries** have allocated bigger efforts to the implementation and enforcement of the Convention, while **developing countries** have in most cases initiated the implementation process often with external economic and technical assistance.
3. Nearly 60% of MAP countries (13) have been identified to have their **National Implementation Plans (NIPs)** approved pursuant to Article 7 of the Stockholm Convention (Albania, Algeria, Cyprus, Egypt, France, Lebanon, Monaco, Morocco, Slovenia, Spain, Syria, Turkey and Tunisia). Five countries have their NIPs under development (Croatia, Israel, Montenegro and Serbia) or are supposed being developing it (Greece).



4. According to available information, some Mediterranean countries have reported to have encountered **difficulties in the development of their NIPs**. In particular, they have faced lack of data, lack of technical assistance, lack of capacity building, limited economic resources and administration obstacles.
5. Most Mediterranean developing countries have reported to have received **financial assistance from GEF** with the exception of **Libya**.
6. The area in which Mediterranean countries are more advanced is the development of an appropriate legal framework to tackle POPs management in an environmentally sound manner. More than 70% of Mediterranean countries (16) have reported to have taken **legal administrative measures to eliminate the import, export, production and use of chemicals listed in Annex A or B of the Stockholm Convention**.
7. Considering **PCBs legal framework**, it appears to be slightly less developed; since only 63% of MAP countries (14) have confirmed to have specific regulation on PCBs, with most of them having implemented strategies to identify PCBs stockpiles and contaminated sites.
8. **Measures to reduce unintentional releases of POPs** seem to be even less developed in the Mediterranean region as only nine countries have reported to have implemented such measures. In this context, serious difficulties have been identified when intending to obtain complete and coherent data among Mediterranean countries.
9. **Quantitative data on the production, import and export of POPs seems scarce in the Mediterranean area**: only Spain, through its NIP document, has declared the production of 66 kg/year of DDT as an intermediary waste originated by the production of Dicofol.
10. Relevant information on **POPs stockpiles and contaminated sites** have only been collected from **Algeria, Egypt, Morocco, Slovenia, Syria and Tunisia**, which have mostly declared pesticide stockpiles and contaminated locations. The country that declares having more POPs is Algeria, with 1,930 tonnes, followed by Tunisia, with 1,240 tonnes and Morocco (154 tonnes). Due to the current development of some NIP and initiatives such as the Africa Stockpile Programme, it is likely that more pesticide stockpiles and contaminated sites are identified in the near future.

11. Most of the countries provide information on **unintentional emissions of PCDD and PCDF** in different years obtained using the UNEP Toolkit for the Identification and Quantification of Dioxins.
12. Countries belonging to the **European Community** or in accession process have reported considerably **lesser quantities of dioxin and furan emissions** than the rest due to the implementation of European regulations on industrial activities and waste incineration, which already deal with the reduction of unintentional POP emissions.
13. **Major emissions** have been identified for **air and waste/ashes compartments** followed by water. There are 3 countries reporting relevant emissions of dioxins and furans to **air: Algeria, Egypt and Turkey**. Regarding dioxin and furan emissions to waste, land, product and ashes, **Algeria** reports again highest emissions, followed by **Egypt and Turkey**. Considering global emissions to all the compartments included in the UNEP Toolkit (air, water, land, product and residue), it is again **Algeria the country with higher emissions**.
14. Nearly half of the countries reported to have developed **strategies to allocate financial resources to projects on POPs** although most of them have not detailed the institutions or the fields of assistance. Only Cyprus, France and Spain have provided some related information as well as the European Community.
15. The **European Community** has actively promote and support action to identify **further POP candidate substances**, together with the Member States. So far, 12 new substances have been proposed to be added in the Stockholm Convention and/or the UNECE Protocol on POPs and they are thus currently subject to technical review under these agreements.
16. All parties belonging to the Mediterranean Action Plan and Serbia have ratified the **Basel Convention**. Most of them reported to have already implemented measures to **restrict transboundary movement of waste**.
17. **From the 22 countries considered, only a half are Parties of the Rotterdam Convention**. Most of them comply with all the regulatory decisions of chemicals contained in Annex III with the exception of Libya and Lebanon.



18. **Implementation of SAICM is still in an incipient stage.** According to the UNITAR and the questionnaire, only 9 Mediterranean countries have their **National Profiles** prepared: Albania, Algeria, Croatia, Cyprus, Egypt, France, Israel, Slovenia and Syria. Furthermore, only 4 of them have commenced the elaboration of the **National Implementation Plan** on SAICM, they are Croatia, Cyprus, Israel and Syria.

19. **Risk reduction, governance, knowledge and information, capacity-building and technical cooperation** seem to be the activities first being undertaken by Mediterranean countries with a view to implement SAICM.

20. A very important aspect to analyze with this report is the level of coordination among the Stockholm, Rotterdam and Basel Convention, and the SAICM. Only 8 of the 22 countries within the scope of this study, sent information on this subject, which could be a first indicator showing that the level of coordination among Conventions is not as developed as it should. The findings reveal that 6 out of 8 countries affirm having mechanisms for coordination with respect to the following aspects:

- Protection of human health and the environment;
- Combating illegal traffic and trade in hazardous chemicals and wastes;
- Information generation and access;
- Preparation of national positions for meetings of the Conference of the Parties.

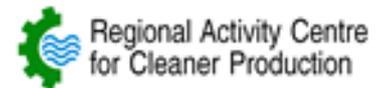
21. Aspects mostly identified with certain **lack of coordination and cooperation** are:

- Technology transfer and transfer of know-how;
- Development cooperation;
- Information generation and access;
- Prevention of accidents and emergency response.

22. Few countries (7) responded affirmatively when asking specific questions about the **adoption of coordination mechanisms** such as the existence of measures in the national development plans to ensure coherence, coordination between donors, coherent technical assistance on chemicals and waste management among regional centres or the common websites and documentation centres.

And as future **challenges and recommendations**, we remark that:

1. As the completion of the NIPs and the development of the related legal frameworks advances, greatest efforts are needed in **technical assistance and capacity building**, to ensure that NIPs, whether developed or under development, are properly enforced and periodically monitored, updated and reviewed.
2. Currently, major issues of concern regarding Stockholm convention in the Mediterranean region are data **gaps on the identification of POP stockpiles, PCB inventories, contaminated sites and the quantification of unintentional emissions**. Due to the development and completion of NIPs, **it is likely that new amounts arise**, which will require further efforts and measures to deal with them.
3. An environmentally sound management for **POP pesticide stockpiles** (most of them containing DDT) mostly identified in Southern countries **need to be ensured**. Moreover, **more pesticide stockpiles are likely to be identified** due to the Africa Stockpiles Programme currently under development in Morocco. Moreover, Libya is the only country within the Southern region which has not commenced its NIP and whose pesticides stockpiles are still unknown.
4. Inventoried dioxin and furan emissions have been mainly allocated to air and waste/ashes compartments. However, waste is thought to be the dominant pathway for releases to the environment, so it is likely that a relevant but **unknown amount of dioxins and furans are present in waste** in the Mediterranean region.
5. According to the available information, Mediterranean countries with major contributions to unintentional emissions are Algeria, Egypt and Turkey. For the particular cases of Algeria and Egypt, they are Parties of the Convention and have their NIPs developed, which means that although the efforts have been already made, **measures to reduce unintentional emissions are still required**.
6. Although **PCBs inventories** are considered to be quite developed among Mediterranean countries, most of them **need to be finished and updated** to guarantee the subsequent sound management of the identified equipments and/or sites. Most developing countries within the Mediterranean region have received financial assistance for the implementation of the Stockholm convention, in particular regarding the elaboration of NIP, the identification of POP stockpiles, the development of PCB inventories and the elaboration of dioxin and furan inventories.



Main areas of further research and development identified by the European Community and confirmed by the findings of the present study are the following:

1. To find sustainable and **affordable alternatives for DDT**.
2. **Reducing costs of analyses** and improving methods for **on-line measurements** with the aim of increasing knowledge about unintentionally formed POPs: The development of **cheaper analyses** with a view to attaining more and better measurement data is a basis for identifying sources and keeping track of releases from primary, secondary and diffuse sources.
3. In order to be able to assess emissions from primary sources, more use needs to be made of **continuous sampling methods**. This kind of sampling also needs to be further developed. With continuous sampling, it is possible, in addition, to monitor how and to what extent process variations affect the formation of POPs. This information will allow us to **take preventive measures to decrease the formation**.
4. To develop a better understanding of mechanisms for bioaccumulation for non-lipophilic substances e.g. **perfluorinated substances and of the effects of potential POPs candidates** with insufficient data.

Regarding the **Basel Convention**, the following findings could be remarked:

1. Although most of the MAP countries have mechanisms to restrict the **transboundary movement of waste** and hazardous waste, there are still **some countries reporting not to have them for import, export or transit**. In order to control waste movements at international level, it is important that as many countries as possible have these kind of restrictions, and keep a strict control of any movement of waste from or into their territory.
2. The implementation of the Basel convention is in an advanced stage, most of the countries have implemented measures to **reduce the generation and the transboundary movement of waste**. However, a comparative study to analyze in depth the adopted measures and their effectiveness among different countries is recommended, as it will serve as a guideline for those countries starting to work towards **waste and hazardous waste prevention**.
3. Although the control of transboundary movements of waste is an essential tool, the Parties to the Convention would have to go further. What is needed is a **shift from a reactive attitude**, looking at the problems and trying to find a solution, to a **more preventive approach**. In order to avoid final disposal problems, the Parties should minimize the use of hazardous substances when manufacturing the products, which is in line with SAICM objectives, in what would be a **life cycle approach in the implementation of the Basel Convention**. This way, the introduction of new products without a proper disposal strategy would be minimal, and the **necessity for end of pipe solutions will be drastically reduced**.

Regarding the **Rotterdam Convention**, it could be mentioned that:

1. Several MAP countries have not ratified the text of the convention yet, so the international community will have to stress the importance of the compliance with the regulations on transboundary movements of chemicals. In addition to the fact that the Convention has been into force for a shorter time, one of the reasons for the smaller success of the Rotterdam Convention, compared for instance to the Basel Convention, could be the non-obligation of submitting a periodic reporting notifying the status of development. It could be an interesting option to assess whether a **periodic reporting** would lead to the improvement of the implementation process.
2. The Rotterdam Convention is an essential part of the international toolkit for protecting human health and the natural environment from the harmful effects of hazardous chemicals and pesticides. A very important challenge that Rotterdam Convention faces is ensuring that all countries have the technical and financial capacity to implement the Convention's procedures. This support is essential for raising awareness, promoting compliance, encouraging ratification and building a broad-based membership for the Convention. Once this objective has been fulfilled, it would be useful **to develop ways of measuring the Convention's effectiveness over the time in order to track its progress.**

Regarding **SAICM** implementation and chemicals management in general:

1. Main challenges for Mediterranean developing countries when managing chemicals are to face **inadequate enforcement of regulations; lack of capabilities** to control and assess the potential toxicity of chemicals used throughout the country; **lack of capacity building** (from operators to managerial staff); **lack of coordination** among competent authorities and lack of reliable information sources.
2. In the global context of the three conventions and SAICM, it is a key concern that **results obtained from research activities** undertaken by developed countries, e.g. the European Community, are **collected and disseminated** properly to enable developing countries to benefit from them.
3. In particular, **findings derived from the enforcement of the EU Chemicals Legislation REACH (Registration, Evaluation, Authorisation and Restriction of Chemicals) shall improve the availability of data on risk assessment and risk management of chemicals; encourage the use of suitable alternatives to chemicals of very high concern; promote industry participation and responsibility; and promote capacity building and awareness among stakeholders.**



Finally, from the information provided in the questionnaires, **four critical areas have been detected that have room for improvement:**

1. Most of the MAP countries report to have measures to ensure the coordination among conventions, but few countries have implemented measures to ensure coherent technical assistance among regional centres or to promote the coordination between donors to ensure consistent and non-duplicate assistance. Therefore, **technical aid should be provided in how to promote coordination among conventions at this level.** It is very important for the success on the implementation of the international conventions to unify efforts as much as possible, so technical and/or financial assistance should be provided to those countries that have not developed proper coordination measures.
2. **Technology transfer and the transfer of know how.** Developing countries and countries with economies in transition face special challenges in meeting their obligations under Multilateral Environmental Agreements (MEAs). Even with the best intentions, these countries can still fall short of full compliance and enforcement, due to insufficient financial resources, lack of scientific or technical knowledge, an underdeveloped legal and enforcement infrastructure and related problems. Capacity building and technology transfer are critical tools without which developing countries and transitional economies will remain disadvantaged and unable to reap the environmental, social and economic benefits offered by full compliance with MEAs. It should also be mentioned that some of the countries that affirm not having received technical assistance, report not to have required it. Parties to multilateral agreements should consider requesting their respective secretariats to coordinate their capacity-building and technology transfer initiatives or undertake joint activities.
3. Another of the issues less developed in the coordination among conventions is **the information generation and access.** It is essential to promote the transfer of the information from developed to developing countries, and grant the free access to anyone interested. In addition, it is important to develop mechanisms aimed at ensuring transparency in the research and development programmes carried out within the country by qualified organisms, in order to facilitate future studies and to avoid duplication.
4. It is also remarkable that another area in which the MAP countries report to have a weakness is **prevention of accidents and emergency response.** The chemicals and wastes regulated under the Stockholm, Rotterdam and Basel Conventions and SAICM have the potential to be very dangerous for the environment and for the human health. For this reason, any country producing, importing, exporting or having stockpiles of any of the products mentioned in the annexes of the conventions should have developed appropriate mechanisms to react in a critical situation, and what is even more important, the strategies to avoid reaching that situation through proper prevention measures.