



The Stockholm Convention (POPs Convention)

**An international, legally binding regulation for
the global elimination of extremely
dangerous pollutants**



Hamburg, October 2001



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■ Preface

In 1985 the international Pesticide Action Network (PAN) started the campaign “The Dirty Dozen”. This campaign targeted twelve pesticides with the aim of showing the problems and the suffering caused by pesticide usage. “The Dirty Dozen” pesticides demonstrate the extreme risks pesticides can constitute due to their acute toxic nature, which may cause damage to health and death, primarily in Third world countries. “The Dirty Dozen” also shows that pesticides can be extremely long-lasting (persistent) and therefore accumulate in the environment. Today they are a burden on all life on earth.

The persistent pesticides included in the “The Dirty Dozen” are now part of the Stockholm Convention. The objective of the Stockholm Convention is to eliminate extremely hazardous persistent pollutants worldwide. In May 2001, the Stockholm Convention was signed within the framework of an international diplomatic conference. The Convention will come into force as soon as it has been ratified by 50 nations. When this is accomplished depends on the goodwill and the commitment of the governments of each country.

Since negotiations on the Stockholm Convention started, the Pesticide Action Network and the International POPs Elimination Network (IPEN) have worked jointly to achieve the best Convention possible. This commitment has been worth the effort.

From the point of view of PAN Germany, the Stockholm Convention is a legal instrument that can serve to eliminate persistent organic pollutants worldwide. However, the implementation of the Convention will not be easy. A lot of local, national and international commitment is necessary to implement the Convention in such a way that there will be a successful worldwide ban on dangerous persistent pollutants. Additionally, the complete and timely fulfilment of the objectives of the Convention will also depend on the commitment of non-governmental, non-profit organisations (NGOs).

“We are thrilled that with this Convention, the international community recognises the wisdom of banning an entire class of chemicals and has given us the tools to make it happen. Our global network will be actively involved in the implementation of this treaty, participating in local projects and national policy making and monitoring progress around the world.”

*Kristin Schafer
POPs Programme Coordinator
PAN North America*

Carina Weber (PAN Germany)

■ Introduction

“Only decades ago most of the 12 POPs targeted for action under the POPs Convention did not exist, and now they are in the air, water, soil around the planet - and in us all, and they last for generations.”

(Klaus Töpfer 2000, Executive Director of UNEP)

Toxic and persistent organic pollutants (POPs) jeopardise the well-being of all life on earth. In May 2001, the “Stockholm Convention on Persistent Organic Pollutants” was signed by the representatives of the countries in Stockholm, from which it takes its name. The signing of the Convention was the first step of a process that will finally lead to the global ban on the generation, trade, use and storage of certain extremely hazardous persistent organic pollutants. The negotiations had taken two and a half years and were successfully completed in December 2000. During the whole of this time the figure of an Inuit mother and her baby was placed on the desk of the Chairman of the negotiations, Mr. John Buccini. It had been given to him at the start of the negotiations by a representative of the Inuit and became the symbol for the negotiations on the POPs Convention. Why?



■ What are POPs?

Persistent organic pollutants (POPs) are toxic and, at the same time, long-lasting organic pollutants, such as certain pesticides and industrial chemicals. They also include harmful gases, e.g. the extremely dangerous Dioxins and Furans that are generated unintentionally and without any proper purpose during chemical production processes, combustion, incineration and also e.g. by crematoria.

Due to their resistance to degradation, these pollutants accumulate in the environment and are transported by air, water or migrating living beings. By repeated evaporation and condensation they may travel from the warmer regions of the earth, where they are emitted into the environment, to the cold poles. Thus, they end up in distant regions, e.g. from the tropics via the North Sea to the Inuit people in the North polar zone. In this area, they accumulate in water and in basic food like fish. The Inuit have never produced or used POPs themselves. However, the amount of POPs accumulated in the mother’s milk of the Inuit women is so high that the health of their babies is endangered by breast-feeding.

The indirect confrontation with POPs, for example by the uptake through food, is not the only hazard to human health, however. People are also jeopardised by the direct use of POPs, as for example the application of pesticides in agriculture, primarily in developing countries.



What are the effects of POPs?

POPs accumulate, for example, in the fat tissue of all living beings. They interfere with the hormonal balance, can cause cancer and skeletal abnormalities and may impair the immune system. Those most affected are creatures situated at the end of the food chain like whales, seals and humans. The harmful effect of POPs is indisputable. For this reason, as early as the beginning of the 90ties, the plan to eliminate such persistent pollutants worldwide came into being.

■ Origin and history of the Convention

The ground for the POPs Convention was prepared at the United Nations Conference for Environment and Development (UNCED) in Rio de Janeiro in 1992. The participants of this conference agreed that “all people are entitled to a healthy and productive life in harmony with nature” (Rio Declaration, Principle 1). To fulfil this objective in the future, it was declared in Rio that the states should consider the “co-operation with developing countries through financial and technological support, to maximise the best practicable control and reduction of substances and wastes that are toxic, persistent or liable to bio-accumulate” (Agenda 21, Section 17.28g).

Starting point for the negotiations on the POPs Convention was the decision 19/13 C of the Council of the United Nations Environment Programme (UNEP) from July 2nd 1997. This decision formed the legal basis for the start of a negotiation process lasting two and a half years. In December 2000, the negotiations were successfully completed in Johannesburg. After heated discussions, an agreement was reached during the last minutes that was worth the effort: with the POPs Convention a foundation now exists which enables serious problems to be tackled that are related to the existence of persistent pollutants.

In industrial countries, the production and the use of those 12 chemicals targeted by the POPs Convention so far (see Annex 1) are already banned or restricted to a large extent. In many developing countries or countries with economies in transition, however, POPs are still produced or used, either as pesticides in agriculture, as wood preservatives, as anti-malaria treatment or in industry.

One further, large problem to be targeted by the Convention is the management of obsolete stockpiles and wastes containing POPs. More than 100.000 tons of old pollutants, the use of which is now illegal, are often stored under uncontrolled and inadequate conditions. According to the Food and Agriculture Organisation of the United Nations (FAO) this toxic waste has accumulated during the past 30 years and is still increasing. It consists e.g. of the pesticides Aldrin, Chlordane, DDT, Dieldrin, Endrin and Heptachlor that are now addressed by the Stockholm Convention. In Africa, for example, toxic wastes are often stored in simple clay or straw huts. Many metal containers are rusty and leak. This leads to the intoxication of humans and to severe contamination of the environment.

The implementation of the Convention can stop the production and the use of POPs and bring on the destruction of obsolete stockpiles. Furthermore it can also prevent the release of completely new POPs into the environment. This can only be done successfully, however, if measures are taken on a global level and if the commitment of the industrial nations to support poorer and less resourceful countries is implemented as well.

Precautionary Principle

“Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation.”

Principle 15, Rio Declaration

Implementation of the Convention

According to Article 7 of the Stockholm Convention, each Party shall:

- develop a plan for the implementation of the obligations it agreed to with the ratification of the Convention
- transmit its implementation plan to the Conference of the Parties within two years of the date on which the Convention enters into force
- review and update, as appropriate, its implementation plan on a periodic basis and
- where appropriate, co-operate with other Parties directly or through global, regional and sub-regional organisations and consult their national stakeholders, including womens' groups and groups involved in the health of children.

In principal, the implementation plans are available to the public. Thus, the Convention ensures that anyone can join forces to aid putting them into practice.

Chemicals under regulation

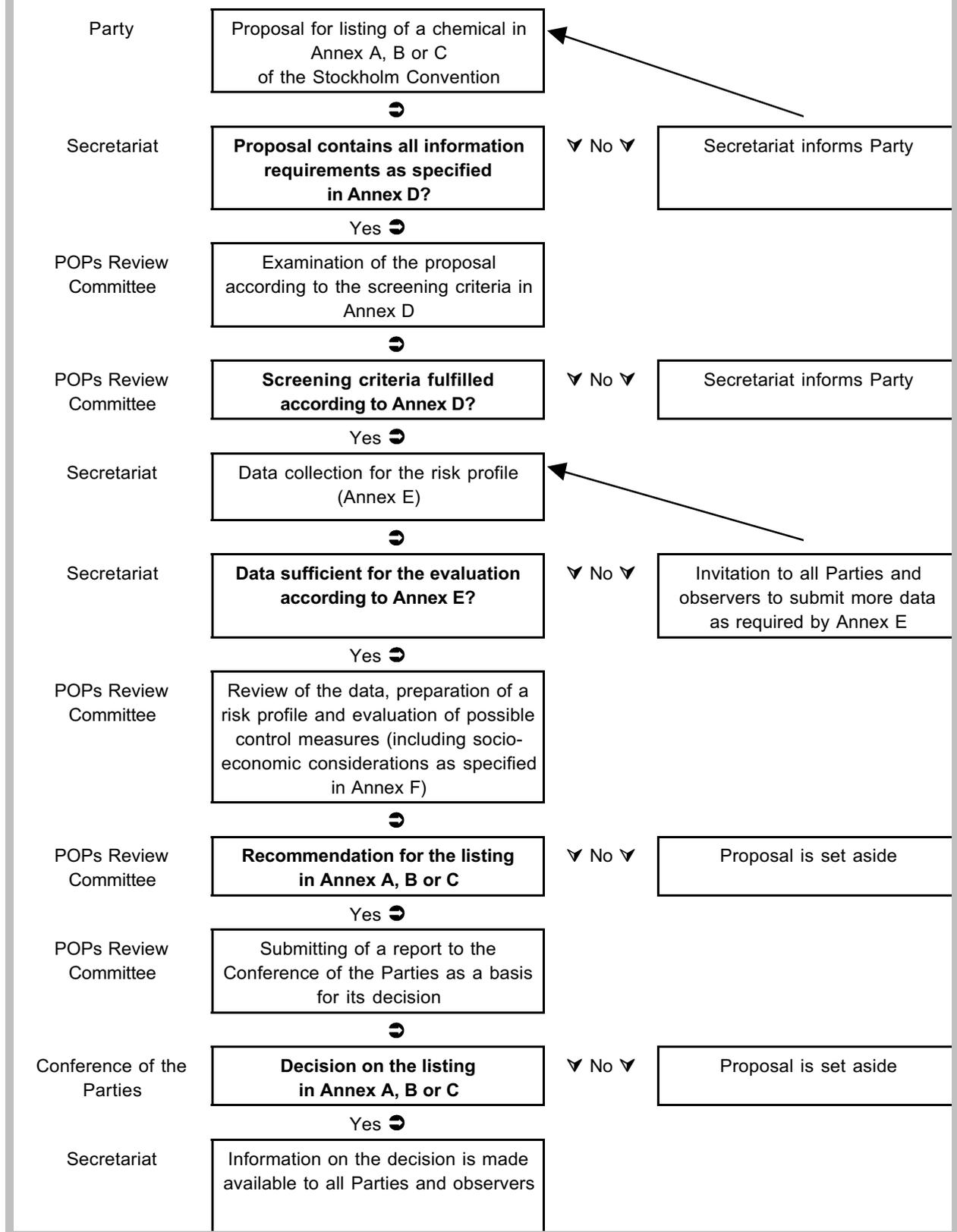
The POPs Convention will be in force for all chemicals that have been included in Annex A, B and C. For the time being, there are 12 chemicals listed, 9 of which are pesticides (see Annex 1). More chemicals can be added to the list in the future.

- Annex A lays down which chemicals are to be globally eliminated or banned and for which of those chemicals specific exemptions are still granted for a certain period of time.
- Annex B lists chemicals that are still permitted for some restricted uses because at the moment, alternatives are not accepted for social or economic reasons.
- Annex C names chemicals unintentionally released into the environment, the generation of which can only be prevented by a change of production methods and thermal processes.

Listing of new chemicals

The conditions under which chemicals are listed in the Annexes A, B and C are defined in the subsequent Annexes D, E and F. The listing of new chemicals is carried out according to a procedure described in Article 8.

Procedure for the listing of new substances in Annex A, B or C of the Stockholm Convention (abridged overview)



In this context, least developed countries and small island developing states have to be considered with priority. The regulations for the definition and the form of technical assistance still have to be determined by the Conference of the Parties and have to be added to the Convention.

Financial mechanisms

In Article 13, the Convention lays down that the first priority of the developing countries should be to ensure sustainable economic and social development and the eradication of poverty. This stresses the significance of financial aid from industrialised to poor countries to help meet the objectives of the Convention. The Parties were well aware that the Convention would have been condemned to ineffectiveness if they had referred to already existing financial aid mechanisms. Therefore the financially stronger Parties committed themselves to provide new and additional financial resources.

At its first meeting, the Conference of the Parties will adopt the particular arrangements for this financial mechanism and pass regulations on the appropriate guidance to be provided on it. This encompasses for example the determination of the policy and programme priorities and detailed criteria regarding the evaluation and the writing of reports. At its second meeting and thereafter on a regular basis, the Conference of the Parties should evaluate the form and effectiveness of the mechanism and take ameliorative measures if necessary.

According to Article 14, the implementation of this mechanism will be carried out by the Global Environment Facility (GEF) on an interim basis (for the period between the date on which the Convention enters into force and the first meeting of the Conference of the Parties, or until such time as the Conference of the Parties decides which institutional structure will be designated).

Other international regulations

The POPs Convention is part of an international system of regulations for the control of hazardous chemicals. Therefore, not only the preamble but also the main text refers to international agreements that have similar objectives. The Rio Declaration and the Agenda 21 that was also passed in Rio in 1992 have already been mentioned. Furthermore the Rotterdam Convention (PIC Convention) and the Basel Convention are of importance.

The Rotterdam Convention (PIC Convention) refers to regulations on mutual information practices when trading with certain dangerous chemicals. Chemicals that are part of this Convention are not to be exported to a country without its explicit, previous consent (Prior Informed Consent, PIC).

The Basel Convention's objective is to diminish the generation and transport of dangerous wastes. This implies that dangerous wastes have to be disposed as close to the site of production as possible. To reach this goal, a particular infrastructure was created by the Basel Convention. This infrastructure can also help implementing the POPs Convention. Therefore, Article 6 of the POPs Convention regulates not only measures for the reduction and/or elimination of POPs stockpiles and wastes, but also instructs the Conference of the Parties to co-operate closely with the appropriate bodies of the Basel Convention.

Entry into force

The Stockholm Convention will enter into force on the ninetieth day after the deposit of the last of 50 ratifications and/or acceptances. This will supposedly take at least a period of 2 – 3 years.

■ NGOs: Important for success

The Convention aligns the main responsibility for the implementation of the Convention to governments and the industrial and commercial sector. At the same time, however, the Convention also encourages NGOs to become active. In this context, NGOs from the non-commercial sector are essential. Non-profit NGOs do not have an *economic* interest in a further use of POPs. Therefore, they are in the best position to monitor the implementation of the Convention and to insist on a soon implementation.

This holds true for all non-profit NGOs, no matter

- whether they are active in environmental protection and are involved in the reduction of air pollution or marine protection according to the Agenda 21
- whether they work for consumer protection and fight against POPs residues in e.g. fish
- whether they are active in developmental politics and want to contribute to food security and the eradication of hunger
- or simply because, due to the presence in their home country, they can best exert an influence on their own national government.

NGOs, within their area of activities, can make concrete contributions to the implementation of the Convention. They can support:

- a soon ratification of the Convention by governments that signed it in order to allow it to enter into force by the end of 2002
- that importing companies ensure that POPs are not used in the production of imported products
- that further dangerous persistent pollutants are soon listed in Annex 1 of the Convention
- that POPs are not replaced by other, less persistent, but also hazardous chemicals (see Beyond POPs on next page), by supporting sustainable alternatives to POPs and/or different production systems and user patterns.

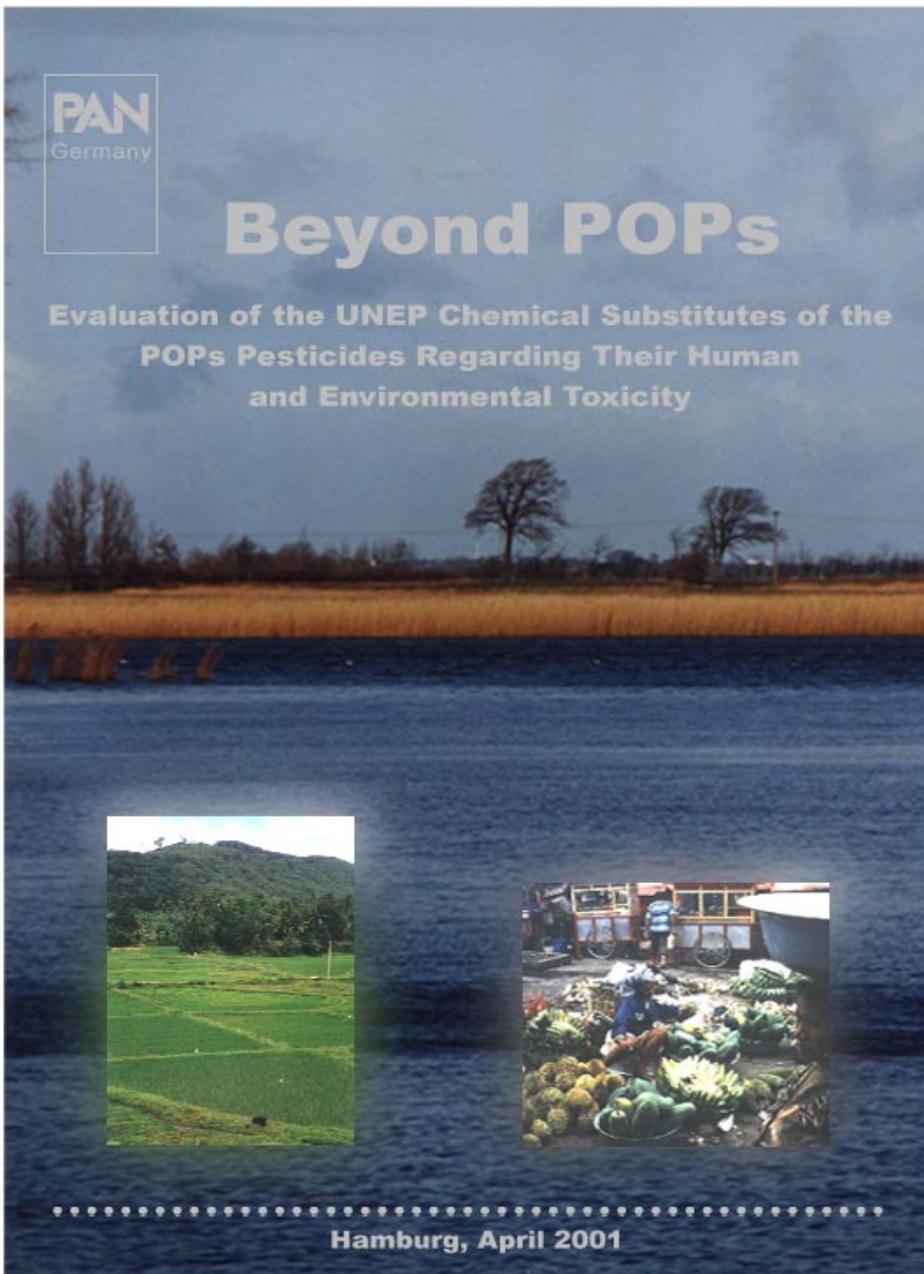
■ Beyond POPs

Many chemicals that can act as chemical substitutes for POPs are also very problematic. These chemicals are not as persistent as POPs, but they can still be acutely and extremely dangerous and may cause cancer or reproductive disorders in humans and animals.

PAN Germany examined possible chemical substitutes for POPs-pesticides of the Stockholm Convention in the study "Beyond POPs" published in 2001. The result is devastating: all of the

60 examined substitutes that are considered as "chemical alternatives" for the 9 POPs-pesticides, are not acceptable if used under conditions of poverty in developing countries.

Therefore, PAN Germany concludes that the implementation of the Convention and the development of sustainable production systems have to be supported at the same time.



■ Annex 1: Generation and use of POPs and specific exemptions according to the Stockholm Convention

This table lists the initial twelve POPs targeted by the POPs Convention, to which further chemicals can be added. Besides the insecticide DDT in Annex B and the unintentionally generated by-products in Annex C, all chemicals (7 pesticides and 1 industrial chemical) are listed in Annex A. These chemicals are globally banned (apart from some specific exemptions listed below).

Chemical	Activity	Specific exemption (Listed in a register, available to the public, including all types of specific exemptions and the Parties that have specific exemptions listed.)
Annex A: Elimination		
Aldrin *	Insecticide against pests on plant roots, e.g. in corn and cotton cultivation; termite control	Locally, against insects and ectoparasites (parasites that develop on the surface of host plants)
Clordane *	Insecticide used in corn and citrus cultivation, in gardens and on lawns; termite control	Additive in plywood adhesives, termite control and locally, against ectoparasites and insects
Dieldrin *	Insecticide against insects living in the soil, for seed treatment, in disease vector control (malaria), for treatment of sheep, as wood preservative, against moths in wool	Permitted in Indian agriculture for a maximum period of 2 years to use up stock
Endrin	Insecticide used on agricultural crops; rodenticide	None
Heptachlor *	Insecticide used in agriculture and indoors	Termite control in underground cable boxes, wood treatment, solvent in pesticides, component of articles still being used



Pesticide Action Network

PAN Germany was formed in 1984, two years after the founding of the international PAN, and following a hearing of the German Federal Parliament on the effects of exported pesticides in developing countries.

A broad range of groups and organisations from the fields of development work, environmental protection, consumer protection and agriculture were present at that hearing. The concern about the devastating effects of pesticide use, especially in developing countries, and Germany's central position in the world market for pesticides led to the founding of PAN Germany with the following aims: improving the co-ordination of already existing activities against the misuse of pesticides; encouraging the commitment against dangerous pest control measures, and strengthening the competence of critical experts.

Since that time PAN Germany has been working on various issues connected with

pesticide use, including pesticide residues in food, eradication of hunger, sustainable agriculture or pesticide use in households.

PAN Germany is part of the international PAN, founded in 1982. To strengthen the international co-operation, there are five autonomous regional centres: PAN Europe (facilitated by PAN Germany and PAN UK), PAN Africa, PAN Asia, PAN North America and PAN Latin America.

You are interested in further information on the projects and activities of PAN Germany ?

You are welcome at:

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Email: pan-germany@t-online.de
Have a look at our homepage
at: <http://pan-germany.org>

Support our work

Organisations like PAN Germany cannot be successful without the financial help of people like you. Please consider a financial contribution to:

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