



SPREP
Secretariat of the Pacific Regional
Environment Programme



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Global and Regional Frameworks

CHEMICALS AND WASTE MULTILATERAL ENVIRONMENTAL AGREEMENTS (MEAS)

July 2020





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Our vision: A resilient Pacific environment sustaining our livelihoods and natural heritage in harmony with our cultures.

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A person wearing a green protective suit and hood is spraying a field with a backpack sprayer. The person is holding a long metal wand with a yellow nozzle. The background shows other people in similar protective gear, some carrying large white jerrycans on their heads. The scene is outdoors in a grassy field.

Introduction

There are none more pressing issues of global sustainable significance than those relating to a country's management of the disposal of its environmental pollutants including hazardous waste, radioactive materials and other chemicals.

To this end, uniting international communities with the specific objective to ensure the **safe and sustainable management of waste and pollution control with due regard for the conservation of biodiversity, the health and wellbeing of its inhabitants, along with mitigating climate change concerns**, is of the utmost importance.

A holistic approach to waste management and pollution control proposed in the Cleaner Pacific 2025, corresponds to efforts taken to develop policies and regulatory frameworks for waste management as well as assist countries to progress the ratification of appropriate Conventions and meet the international and national obligations for hazardous wastes and chemicals.

This is echoed in goal twelve of the 2015 United Nations Sustainable Development Goals (SDGs), which calls for ensuring sustainable consumption and production patterns around chemical and waste use and includes specific targets to have achieved by 2020.

The aim is to achieve environmentally sound management of chemicals and all wastes throughout their life cycle, in accordance with agreed international frameworks, and significantly reduce their release into the air, water and soil in order to minimize their adverse impacts on human health and the environment.

In reality the 'agreed international frameworks' for achieving this goal comprise a fragmented system of global-level and regional-level conventions, as well as a range of non-binding 'soft law' instruments developed by different international institutions.

There is presently no single international organisation or convention that establishes rules of general application for waste management however the MEAs provide strong foundations to support and guide Pacific Nations in working toward the SDGs and a healthier environment.



The key components of the global regional governance system for waste include:

- Global multilateral environmental agreements (MEAs) applicable to hazardous chemicals and wastes, adopted by the First International Conference on Chemicals Management (ICCM1) in Dubai, the Strategic Approach to International Chemicals Management (SAICM) is a policy framework to promote chemical safety around the world. International instruments relating to hazardous chemicals generally adopt a lifecycle approach that tracks substances from production to disposal.
- These instruments may contain provisions on chemical wastes and their disposal, although these requirements are secondary to the instruments' primary focus on chemicals management. Waste-focused conventions, on the other hand, mainly concern disposal, transboundary movement and trade in wastes.
- Regional agreements, including those in the Pacific, applicable to waste management. Global legal instruments on waste management are supplemented by regional conventions containing more specific requirements for the countries to which they apply. In the Pacific region, regional agreements govern the storage and disposal, as well as the transboundary movement, of hazardous wastes.
- Soft law instruments applicable to hazardous chemicals and wastes. These non-binding instruments have been made by a range of international institutions, including the Food and Agriculture Organization (FAO), the United Nations Environment Programme (UNEP), and the

What are Global and Regional Multilateral Environmental Agreements (MEAs)?

MEAs are legally binding agreements between States or International Organisations that have responsibilities for managing elements of the natural environment.

The Chemicals and Waste focused MEAs address procedures and actions related to the transboundary movements of materials such as hazardous waste, radioactive waste, and persistent organic pollutants (to name a few).

There are six MEA "clusters" that address a broad range of environmental issues:

- Biological diversity
- Climate and atmosphere
- Environmental governance
- Land and agriculture
- Marine and freshwater
- Chemicals and waste



Global MEAs included in the chemicals and waste cluster are:

- The 1989 Basel Convention on the Control of Transboundary Movements of Hazardous Wastes. This MEA governs international trade and standards for disposal of both hazardous wastes and municipal wastes, including an amendment specifically addressing plastic wastes adopted in May 2019 and another amendment introducing a ban on certain exports to developing countries that came into effect in December 2019.
- The 2001 Stockholm Convention on Persistent Organic Pollutants (POPs), which regulates production, use, release and trade of a specific category of hazardous chemicals – POPs – listed in Annexes to the Convention;
- The 1998 Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, which establishes procedures for international shipments of hazardous chemicals and pesticides; and
- The 2013 Minamata Convention on Mercury, which establishes a comprehensive regulatory system to control mercury throughout its lifecycle, including reductions across various products, processes, and industries where mercury is used, released, or emitted.

The Pacific also has the ability to ratify membership to a Regional MEA:

- The 1995 Waigani Convention to Ban the Importation Into Forum Island Countries of Hazardous and Radioactive Wastes and to Control the Transboundary Movement and Management of Hazardous Waste Within the South Pacific Region
- The 1986 Noumea Convention for the Protection of Natural Resources and Environment of the South Pacific Region. The Noumea Convention contains a specific requirement for parties to take all appropriate measures to prevent pollution within the convention area from the storage of toxic and hazardous wastes (Art. 11), and in 1990 the Convention was updated to include a 'Dumping Protocol'.



There are a number of MEAs of particular importance to SPREP and its Waste Management and Pollution Control activities:

Other MEAs of interest to environmental management in the Pacific

- **London Protocol** – dispose of waste at sea safely;
- **MARPOL** – prevent pollution from ships;
- **Ballast** – water management convention – stop invasive species from ships; and
- **Vienna Convention, Montreal Protocol & Kigali Agreement** – protect the ozone layer.

Why would States choose to become a party to a MEA?

States enjoy numerous benefits from participating and complying with MEAs including:

- Addressing transboundary specific issues that are beyond individual national jurisdictions;
- Seeking the support, guidance and technical assistance of the international community in the management of issues and the protection of their sovereign environments;
- Gaining access to new information, procedures and drawing upon the technical expertise on the subject matter;
- Improving and enhancing environmental standards and practices in-country; and
- Banning illegal activities within its jurisdictions and enacting appropriate regulations supported by the international community.

How does a Territory become a party to a MEA?

- Territories are traditionally regarded as being under the sovereignty of their respective metropolitan country in terms of treaty-making, as outlined in Article 29 of the Vienna Convention on the Law of Treaties (United Nations 1969).
- When a multilateral treaty does not by its nature clearly apply to all the territory of a Party, yet is silent as to its territorial scope and lacks a territorial clause, there is a well established practice by which a State can decide to which, if any, of its overseas territories the treaty will extend.
- At the time of signature or ratification, the State declares either that the treaty extends only to the metropolitan territory, or that it extends (and may later be extended further) to an overseas territory or territories (Aust 2010, pp. 81–2).

The Language of MEAs

Accede/Accession: 'Accession' is an act by which a State signifies its agreement to be legally bound by the terms of a particular treaty. It has the same legal effect as ratification, but is not preceded by an act of signature. The formal procedure for accession varies according to the national legislative requirements of the State. Generally, to accede to an MEA, the appropriate national organ of a State – Parliament, Senate, the Crown, Head of State or Government, or a combination of these – follows its domestic approval procedures and makes a formal decision to be a party to the MEA. Then, the instrument of accession, a formal sealed letter referring to the decision and signed by the State's responsible authority, is prepared and deposited with the United Nations Secretary-General in New York.

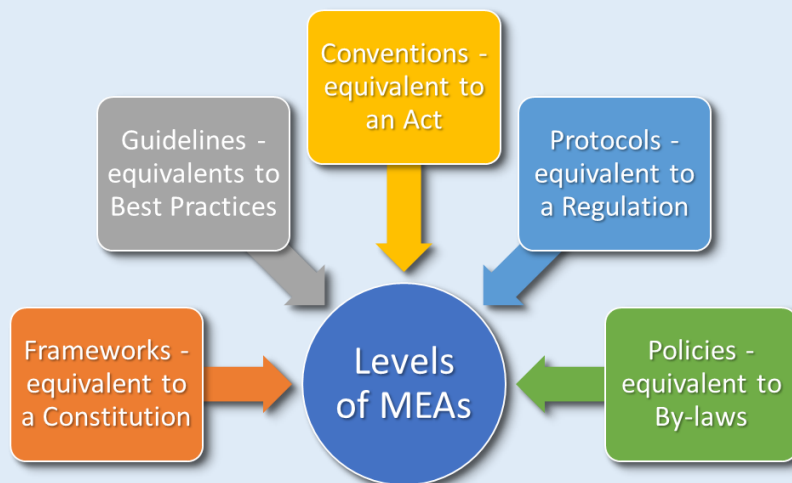
Adoption: 'Adoption' is the formal act by which the form and content of a proposed MEA text are established. MEAs are usually adopted by a resolution of National Parliament.

Article: International legal instruments generally include a preamble (stating the reasons for and underlying understandings of the drafters and adopters of the instrument) and a series of 'articles', which lay out the obligations of those States choosing to be bound by it and procedural matters involving the MEA. The term 'provision' is often used as an alternative when referring to the content of particular articles.

Declaration: The term 'declaration' is used for various international instruments. International declarations are not legally binding; the term is often deliberately chosen to indicate that the parties do not intend to create binding obligations but merely want to declare certain aspirations. However, while the 1948 Universal Declaration of Human Rights for example was not originally intended to have binding force, its provisions have since gained binding character as customary law.

Deposit: After a treaty has been concluded, the written instruments which provide formal evidence of a State's consent to be bound are placed in the custody of a depository. E.g. the texts of the Convention on the Rights of the Child and its Optional Protocols designated the Secretary-General of the United Nations as their depository. The depository must accept all notifications and documents related to the treaty, examine whether all formal requirements are met, deposit them, register the treaty and notify all relevant acts to the parties concerned.

Entry into Force: An MEA does not enter into force when it is adopted. Typically, the provisions of the MEA determine the date on which the MEA enters into force, often at a specified time following its ratification or accession by a fixed number of states. An MEA enters into force for those states which gave the required consent.



Optional Protocol: The term 'protocol' is used for an additional legal instrument that complements and add to an MEA. A protocol may be on any topic relevant to the original treaty and is used either to further address something in the original treaty, address a new or emerging concern or add a procedure for the operation and enforcement of the MEA—such as adding an individual complaints procedure. A protocol is 'optional' because it is not automatically binding on States that have already ratified the original treaty; States must independently ratify or accede to a protocol.

Ratify/Ratification: 'Ratification' is an act by which a State signifies an agreement to be legally bound by the terms of a particular MEA. To ratify an MEA, the State first signs it and then fulfils its own national legislative requirements. Once the appropriate national organ of the country – Parliament, Senate, the Crown, Head of State or Government, or a combination of these – follows domestic constitutional procedures and makes a formal decision to be a party to the MEA. The instrument of ratification, a formal sealed letter referring to the decision and signed by the State's responsible authority is then prepared and deposited with the United Nations Secretary-General in New York or to Pacific Islands Forum Secretariat for Pacific regional MEAs.

Signature: 'Signature' of an MEA is an act by which a State provides a preliminary endorsement of the instrument. Signing does not create a binding legal obligation but does demonstrate the State's intent to examine the MEA domestically and consider ratifying it. While signing does not commit a State to ratification, it does oblige the State to refrain from acts that would defeat or undermine the MEA's objective and purpose.

State Party: A 'State party' to an MEA is a country that has ratified or acceded to that particular MEA and is therefore legally bound by the provisions in the instrument.

How do MEAs influence National Legislation and Activity?

One of the fundamental obligations required by Parties to an MEA, is to develop and enact national legislation to implement the MEA domestically. Once a State ratifies its decision to be a party to an MEA, it must then ensure its domestic legislation enables the State to comply with the conditions and Articles included in the MEA.

Why does SPREP and PacWastePlus (PWP) support countries joining MEAs?

The Basel, Waigani, Rotterdam, Stockholm, Minamata and Noumea Conventions all aim to reduce the adverse health and environmental impacts of hazardous chemicals and waste. SPREP, as the mandated regional Environmental Management CROP in the Pacific, and as the Secretariat of the Waigani Convention, has entered into a Memorandum of Understanding with the Secretariat of the Basel Convention to establish the 'Pacific Regional Centre for Training and Technology Transfer for the joint implementation of the Basel and Waigani Conventions'.

The core functions of the Centre are to develop and provide training, technology transfer, information, consulting services and awareness raising to MEA parties.

The MEAs play a key role in the work that SPREP is undertaking in partnership with our member countries. SPREP is able to support member countries to meet their MEA commitments through such initiatives as PacWastePlus (PWP), GEF ISLANDS and Pacific Ocean Litter Project (POLP).

How can SPREP and PWP assist countries to Accede and comply with the requirements of MEAs?

SPREP, through the implementation of the Cleaner Pacific 2025 (CP2025) Strategy, is working with international donors to implement a series of Programmes and Projects to deliver the Strategic outcomes of the CP2025 – all of which align with the intent of the Chemical and Waste MEAs.

The **PWP Programme** is working with participating countries to ensure the safe and sustainable management of waste with due regard for the conservation of biodiversity, health and wellbeing of Pacific island communities, climate change mitigation and adaptation requirements.

Work undertaken in 2020 by the PWP Programme reviewed legislative arrangements in participating countries to identify areas where strengthening of legislative arrangements to assure countries they are able to ratify the MEA, or ensure compliance with any MEA they are a party to.

Additionally, the PWP Programme is investing in in-country projects that can be structured to support MEA requirements.



Objective

The primary objective of the Convention is to safeguard human health and the environment against the adverse effects of hazardous wastes.

Scope

The Convention covers a range of hazardous wastes based on their source and/or constituents and their characteristics, as well as two other wastes, that is, household waste and incinerator ash. The heart of the Basel Convention is its PIC procedure set out in Articles 4 and 6. Parties may prohibit the import of hazardous or other wastes for disposal and must inform other parties of their decision through notifications to the Basel Convention's administrative body, known as the Secretariat. Where a party has not prohibited particular imports, it (and any 'transit states', through which the shipment passes that are party to the Convention) must consent in writing to a specific shipment before that shipment can take place. Importing states or transit states that are party to the Basel Convention may require waste shipments to be covered by insurance, bonds or other guarantees.

Why should Countries become a party to the MEA?

The Convention strives to:

- Reduce hazardous waste generation and promote environmentally sound management of these wastes, irrespective of the place of disposal;
- Restrict transboundary movements of hazardous wastes unless it is aligned with the principles of environmentally sound management; and
- Regulate cases where transboundary movements are acceptable.

Responsibilities of Convention Parties

Parties are obligated to make certain that transboundary movements of hazardous wastes and other wastes are only permitted if one of the conditions below is met:

- The State of export does not have the technical capacity, essential facilities, or appropriate disposal sites to dispose of the wastes in an "environmentally sound manner"; or
- The wastes are needed as raw material for recycling purposes in the State of import; or
- The transboundary movement in question is in line with other criteria agreed by the Parties.

The Convention:

- Requires practical measures to be taken by Parties to ensure human health and the environment are protected from the adverse effects which may result from such wastes;
- Specifies cases in which Parties may restrict transboundary movements and when they must restrict transboundary movements;
- Obliges transport or disposal of waste must be carried out only by persons authorized to do so, and that wastes intended for transboundary movement be packaged, labelled and transported in compliance with generally accepted and recognized international guidelines and standards.
- Requires all Parties to prevent and penalise conduct in violation of its provision, including illegal traffic (undertaken through provision in National legislation).

More Information

<http://www.basel.int/Countries/StatusofRatifications/PartiesSignatories/tabid/4499/Default.aspx>

PACIFIC ISLAND COUNTRIES AND TERRITORIES PARTY TO THE WAIGANI CONVENTION



The WAIGANI CONVENTION to Ban the Importation into Forum Island Countries of Hazardous and Radioactive Wastes and to Control the Transboundary Movement and Management of Hazardous Wastes within the South Pacific Region.

Date of Adoption: 16 September 1995

Entry into Force: 21 October 2001

Place of Adoption: Waigani, Papua New Guinea

Summary

The Waigani Convention, like the Basel Convention, covers hazardous wastes. Hazardous wastes are defined in a similar way to the Basel Convention i.e. as wastes belonging to any category contained in **Annex I**, unless they do not possess any of the characteristics contained in **Annex II**, as well as wastes that are defined as, or are considered to be, hazardous wastes by the national legislation of an exporting, importing or transit party. In addition, the Waigani Convention covers radioactive wastes (which are excluded from the scope of the Basel Convention).

Listed waste types include 'wastes collected from households, including sewage and sewage sludges with the exception of clean sorted recyclable wastes which do not possess any of the hazardous characteristics defined in Annex II'. By virtue of its application to household wastes, the Waigani Convention may also cover plastic waste and some organic or bulky wastes, but only where these wastes have hazardous characteristics.

Objective

To reduce and eradicate transboundary movements of hazardous and radioactive waste through a Prior Informed Consent procedure, in order to lessen the creation of these hazardous wastes in the Pacific region, and ensure the disposal of such wastes in the Convention area is done in an environmentally sound fashion.

Scope

The Waigani Convention covers all hazardous waste listed in the Annex I of the Convention unless they do not possess any of the characteristics contained in Annex II. The Waigani Convention also covers radioactive wastes; and its coverage extends to the Party's Exclusive Economic Zone (200 nautical miles), rather than only to its territorial sea (12 nautical miles) as in the case with the Basel Convention.

Why should Countries become a party to the MEA?

The Convention strives to:

- Offer an effective defensive mechanism to prevent waste traders from exploiting the South Pacific region and using it as an international dump for waste of this sort;
- Stops ships from using the Pacific as a passage for the transportation of hazardous waste;
- Create a regional mechanism to enable the elimination of hazardous and radioactive wastes in the Pacific region.

Responsibilities of Convention Parties

Parties' commitments include the following:

- Implement appropriate measures to prohibit the import and export of hazardous waste to and from the Convention Area (Art. 4.1);
- Share all information relating to illegal hazardous wastes and radioactive wastes import within the Convention area to the Secretariat, and cooperate to ensure that no illegal import of hazardous wastes and radioactive wastes from a non-Party enters areas under the jurisdiction (Art. 4.2);
- Ban the dumping of hazardous wastes and radioactive wastes at Sea (Art. 4.3);
- Ensure the generation of hazardous wastes is reduced, transboundary movements of hazardous wastes are carried out in accordance with the provisions of the Convention, availability of adequate treatment and disposal facilities for the safe management of hazardous waste, collaboration with SPREP to develop programmes to manage transboundary movement of hazardous waste especially in countries where they cannot be safely disposed, development of a national hazardous wastes management strategy, submission to the Secretariat reports of the hazardous wastes generated in its area, and prohibition of hazardous wastes from being exported to or imported from non-Parties to this Convention (Art. 4.4);
- Parties to consider the implementation of the IAEA Code of Practice on the International Transboundary Movement of Radioactive Wastes, and subject to available resources, actively participate in the development of the Convention on the Safe Management of Nuclear Waste (Art. 4.5); and
- Subject to available resources, Parties shall endeavor to participate in relevant international fora to find a global solution to address issues with international trade of domestically prohibited goods (Art. 4.6).

More Information

<https://www.sprep.org/convention-secretariat/waigani-convention>
<http://macbio-pacific.info/wp-content/uploads/2017/08/Waigani-Convention.pdf>
<https://sustainabledevelopment.un.org/partnership/?p=7456>
http://www.paclii.org/pits/en/status_pages/1995-1.html



PACIFIC ISLAND COUNTRIES AND TERRITORIES PARTY TO THE ROTTERDAM CONVENTION



The ROTTERDAM CONVENTION on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade

Date of Adoption: 10 September 1998

Entry into Force: 24 February 2004

Place of Adoption: Rotterdam, Netherlands

Summary

The Rotterdam Convention establishes a legally binding PIC regime for international shipments of hazardous chemicals and pesticides traded in international commerce. It specifically does not apply to wastes (Art. 3(2)). However, the Rotterdam Convention provides a mechanism for parties to control the import and export of listed chemicals in order to limit the health and environmental risks they pose, including if these chemicals were to contaminate waste streams or themselves become wastes.

The chemicals covered by the Rotterdam Convention, listed in **Annex III**, include 35 pesticides, 16 industrial chemicals and 1 chemical in both the pesticide and industrial chemical categories. The listed industrial chemicals include various forms of asbestos, as well as PCBs and certain lead-containing chemicals.

In respect of trade in these chemicals, the Rotterdam Convention requires the formal, written consent of the importing party before export may take place (Art. 10-11). In response to a notification relayed from the Convention Secretariat, an importing party may decide to allow importation of the substance, to ban importation, or to allow importation subject to specified conditions. Alternatively, importing parties may provide an interim response. The Rotterdam Convention also contains provisions for exchange of information concerning potentially hazardous chemicals (Art. 14) and establishes channels for providing technical assistance to developing economies to manage toxic industrial chemicals and pesticides (Art. 16).

Objective

The objectives of the Rotterdam Convention are to:

- Foster shared responsibility and collaborative efforts among Parties in the international trade of various hazardous chemicals, to protect humans and the environment from potential harm; and
- Add to the environmentally sound use of hazardous chemicals, by enabling information sharing, supporting national decision-making processes on import and export, and by circulating these decisions to Parties.

Scope

The Rotterdam Convention covers severely hazardous pesticide formulations and restricted industrial chemicals that present a health and environmental risk under conditions of use in developing countries or countries with economies in transition.

Why should Countries become a party to the MEA?

The Convention strives to:

- Provide an early warning system with a 'watch list' of hazardous chemicals and pesticides that are subject to the legally binding 'Prior Informed Consent' (PIC) Procedure, and whose use and import should be carefully considered and agreed upon;
- Create shared responsibility by enabling international collaboration and an information exchange to assist policy makers in their assessments of chemicals; the human and environmental risks that these chemicals pose and of trade;
- Ensure informed decision making by providing parties access to information and alerts of the potential health and environmental risks by certain hazardous chemicals and pesticides – enabling parties to take appropriate regulatory actions at the national level;
- Educate parties through access to new information on hazardous chemicals and pesticides, to ensure the risk of accidents and illness are reduced, and, they benefit from information on the affordable alternatives that may be available; and
- Provide technical assistance to advise and train developing countries, and those with economies in transition in building their capacity via human resources, policy, legal and institutional frameworks in order to safely manage and regulate chemicals.

Responsibilities of Convention Parties

Becoming a Party to the Convention has the following implications:

- Notify the Secretariat of national final regulatory actions to ban or severely restrict a chemical for health or environmental reasons (Section 2.3.1).
- Submit proposals to the Secretariat for the listing of severely hazardous pesticide formulations (SHPFs) to be included in **Annex III** of the Convention, if they face problems caused by these SHPFs in their countries (Section 2.3.2).
- Provide to the Secretariat, decisions or responses to the future import for each of the chemicals listed in **Annex III** of the Convention (Section 3.3.3).
- Communicate the complete set of import country responses received to all relevant agencies involved in chemical production and trade in the country, to ensure that exports do not occur contrary to importing responses.
- Parties must equally apply their import response to all sources, including the domestic production of the same chemical for domestic use or trade with non-Parties to the Convention.
- Parties must ensure that exports of chemicals listed in **Annex III** of the Convention does not occur contrary to import decisions.
- Parties must ensure adequate information regarding the protection of human health and environment accompanies the shipment of chemicals.

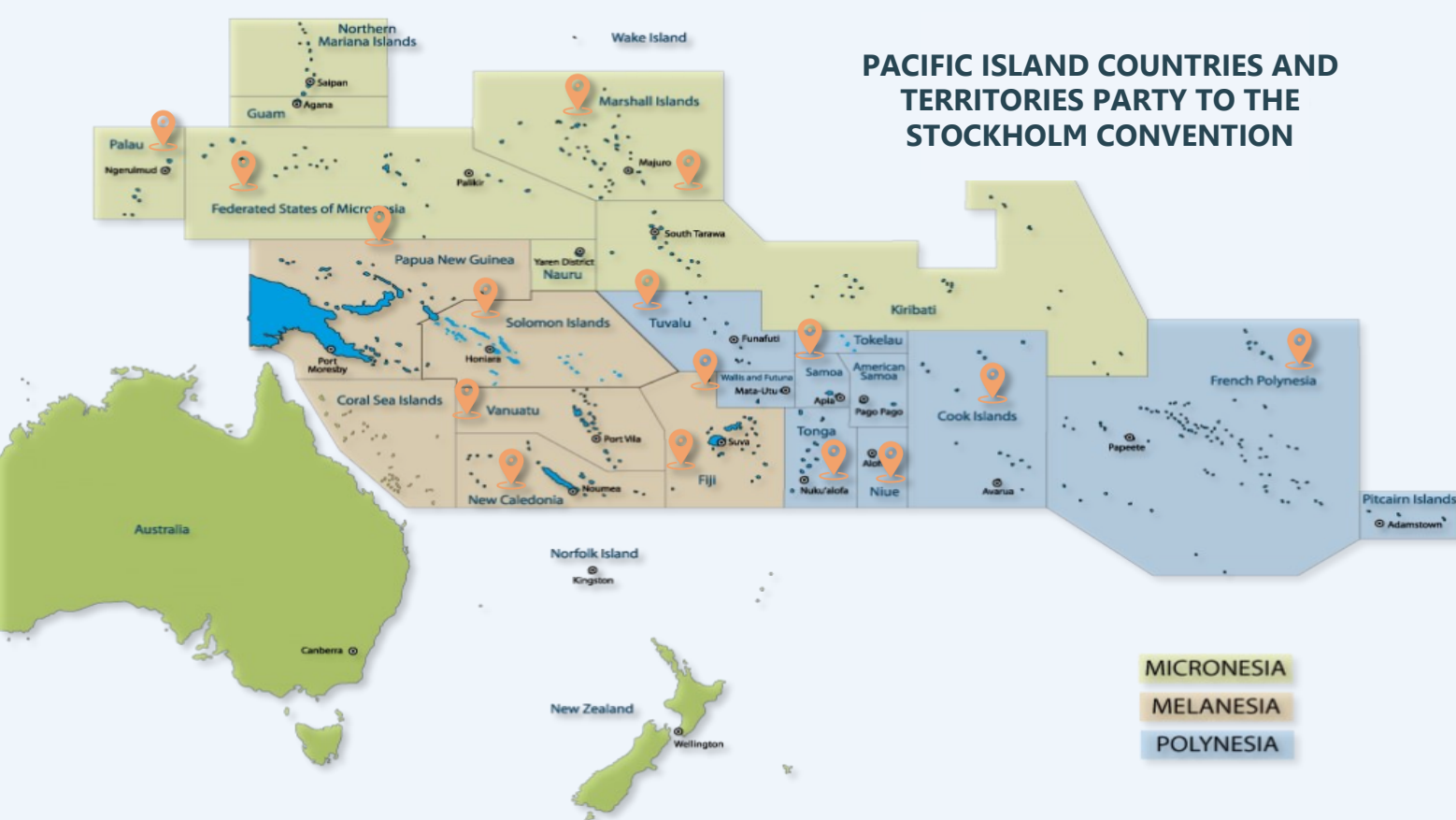
More Information

<http://www.pic.int/TheConvention/Overview/tabid/1044/language/en-US/Default.aspx>

<http://www.fao.org/3/y5423e07.htm>

<http://www.pic.int/Countries/Statusofratifications/tabid/1072/language/en-US/Default.aspx>

PACIFIC ISLAND COUNTRIES AND TERRITORIES PARTY TO THE STOCKHOLM CONVENTION



The STOCKHOLM CONVENTION on Persistent Organic Pollutants

Date of Adoption: 22 May 2001

Entry into Force: 17 May 2004

Place of Adoption: Stockholm, Sweden

Summary

The Stockholm Convention establishes international rules for production and disposal of organic chemicals that remain in the environment, accumulate in organisms up the food chain and travel long distances in the atmosphere and in water – otherwise known as Persistent Organic Pollutants (POPs). Well-known POPs include pesticides like DDT, as well as hazardous chemicals, such as polychlorinated biphenyls (PCBs), dioxins and furans.

The Stockholm Convention is primarily concerned with limiting the use, production and release of POPs listed under its Annexes (Art. 3-5). In the case of POPs listed in **Annex A** (26 substances, including PCBs) the aim is elimination of their production and use. There are specific exemptions for use and production for which parties apply and register.

For those POPs listed in **Annex B** (2 substances, including DDT), the Stockholm Convention aims to restrict their production and use by parties, subject to any applicable acceptable purposes and/or specific exemptions. Parties must also take measures to reduce unintentional releases of POPs (e.g. resulting from burning of wastes) listed in **Annex C** (7 substances, including PCBs, dioxins and furans), with the goal of continuing minimisation and, where feasible, ultimate elimination.

Objective

The objective of the Stockholm Convention is to protect human health and the environment from persistent organic pollutants (POPs). POPs are chemicals that have been intentionally produced for pesticides and industrial processes, or unintentionally produced as by-products of combustion. These chemicals share four properties:

- They are highly toxic;
- They are persistent, lasting for years or even decades;
- They evaporate and travel long distances through air and water; and
- They accumulate in fatty tissue of living organisms, including humans.

Scope

The Stockholm Convention addresses the challenge posed by these toxic chemicals and targets a list of the worst POPs ever created. This list has the potential to keep on growing.

Why should Countries become a party to the MEA?

The Convention strives to:

The Convention requires that such stockpiles and wastes be identified and managed to reduce or eliminate POPs releases from these sources. The Convention also requires that wastes containing POPs are transported across international boundaries taking into account relevant international rules, standards and guidelines.

In order to uphold the Stockholm Convention, actions are addressed in POPs through five essential aims which are:

Prioritise and taking action to eliminate dangerous POPs. This is done by creating a list of the 12 worst POPs and systematically actioning;

- Prohibit and/or eliminate the production and use, as well as the import and export, of the intentionally produced POPs. The import and export of certain listed chemicals can take place under specific restrictive conditions;
- Restrict the production and use, as well as the import and export, of the intentionally produced POPs. However some products can be registered for acceptable purposes and can take place under specific restrictive conditions.
- Reduce or eliminate releases from unintentionally produced POPs. The Convention promotes the use of best available techniques and best environmental practices for preventing releases of POPs into the environment.
- Ensure that stockpiles and wastes consisting of, containing or contaminated with POPs are managed safely and in an environmentally sound manner.

Responsibilities of Convention Parties

Becoming a Party to the Convention has the following implications. Any Party, for which the Convention's provisions have entered into force, should comply with all such provisions.

More precisely, it should put its national legislation and regulations in conformity with the obligations as set out by the Convention.

- Formal obligations required by signatories of the Convention include:
- Reporting every four years to the Secretariat;
- Developing a National Implementation Plan;
- Notifying the Secretariat with country contacts;
- Access to financial mechanism (GEF);
- For developing countries, access to financial and technical assistance from developed countries; and
- Legal basis for compliance.

More Information

<http://chm.pops.int>

<http://chm.pops.int/Countries/StatusofRatifications/PartiesandSignatoires/tabid/4500/Default.aspx>

Why should Countries become a party to the MEA?

The Convention strives to:

- Limit the existence and use of mercury. This is done by ensuring there is a ban on new mercury mines and existing mines are phased out. While every effort be made to strive for a complete phase out, it may be more achievable to obtain a phase down of the use of Mercury in products and processes;
- Promote monitoring of mercury use and emissions. This can be done by quantifying national emissions and releases per square. Success can be best achieved by rolling out these control measures on emissions to air and releases to land and water;
- Improve the knowledge of mercury widely. By making information readily available about mercury-free products and alternatives, the environmental impacts of mercury, along with the health impacts of mercury known it is hoped to increase awareness and intervention;
- Regulate the informal sector of artisanal and small-scale gold mining. If mercury is limited in gold mining and gradually phased out in industrial processes this goal is easily obtainable;
- Regulate the interim storage of mercury and its disposal once it becomes waste. Do this by developing strategies for the safe management of waste mercury and to reduce releases; and
- Reduce human exposure to mercury can be helped by first identifying contaminated sites and then investigating and creating strategies related to remediation options.

Responsibilities of Convention Parties

Becoming a Party to the Minamata Convention has the following responsibilities:

- Compliance with obligations provided in the Convention;
- Funding under the Special Program to support institutional strengthening at the national level; and
- For developing country Parties, access to technical and financial assistance.

More Information

<http://mercuryconvention.org>

<https://treaties.un.org/doc/source/publications/THB/English.pdf>

<http://www.mercuryconvention.org/Countries/Parties/tabid/3428/language/en-US/Default.aspx>

What is Minamata?

A small fishing village in Japan. Local communities were poisoned by mercury pollution.

Over 900 people died from the terrible effects of mercury poisoning, now known as Minamata disease.

Environmentalists brought the issue to global attention and called for an international convention.

STOP

Hg
Mercury
200.592(3)

WHAT IS THE MINAMATA CONVENTION?

It is an international agreement that aims to protect people and the environment from mercury.

The health sector is working to:

1. Phase out thermometers and blood pressure devices that contain mercury
2. Promote oral health and reduce dental amalgam use
3. Implement strategies to protect small-scale gold miners and other vulnerable groups
4. Monitor mercury exposure and provide health advice

Everyone can contribute:

- Dispose of mercury-containing products safely.
- Choose mercury-free products when possible.

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Pictures Source: WHO

Why should Countries become a party to the MEA?

The Convention strives to:

- Harmonise policies that address sound environmental management and development of natural resources at the regional level
- Create Protocols prescribing agreed measures, procedures and standards to prevent, reduce and control pollution from all sources or in promoting environmental management
- promote sustained resource management and to ensure the sound development of natural resources
- have all Parties assist each other in fulfilling their obligations under the Convention and its Protocols

Responsibilities of Convention Parties

Becoming a Party to the Noumea Convention has the following responsibilities:

- take all appropriate measures to prevent, reduce and control:
- pollution of the Convention Area, from any source, and to ensure sound environmental management and development of natural resources, using for this purpose the best practicable means at their disposal, and in accordance with their capabilities (Art. 5):
- co-operate in the formulation and adoption of other Protocols prescribing agreed measures, procedures and standards to prevent, reduce and control pollution from all sources or in promoting environmental management
- establish and adopt recommended practices, procedures and measures to prevent, reduce and control pollution from all sources and to promote sustained resource management
- establish laws and regulations for the effective discharge of the obligations prescribed in this Convention
- pollution in the Convention Area caused by discharges: (i) from vessels aircraft, or man-made structures at sea; (ii) from rivers, estuaries, coastal establishments, outfall structures, or any other sources in their territory; (iii) from exploration and exploitation of the sea-bed and its subsoil; (iv) into the atmosphere from activities under their jurisdiction; (v) of radioactive wastes or other radioactive matter; (vi) from the storage of toxic and hazardous wastes; (vii) from the testing of nuclear devices (Art. 6-12)
- environmental damage in the Convention Area, in particular coastal erosion caused by coastal engineering, mining activities, sand removal, land reclamation and dredging (Art. 13)

Additionally, also take all appropriate measures to:

- protect and preserve rare or fragile ecosystems and depleted, threatened or endangered flora and fauna as well as their habitat in the Convention Area (Art. 14)
- deal with pollution emergencies in the Convention Area, whatever the cause of such emergencies, and to prevent, reduce and control pollution or the threat of pollution resulting from the event (Art. 15)
- develop and maintain technical guidelines and legislation giving adequate emphasis to environmental and social factors to facilitate balanced development of their natural resources and planning of their major projects which might affect the marine environment (Art. 16)
- co-operate in scientific research, environmental monitoring, and the exchange of data and other scientific and technical information (Art. 17 – 19)

More Information

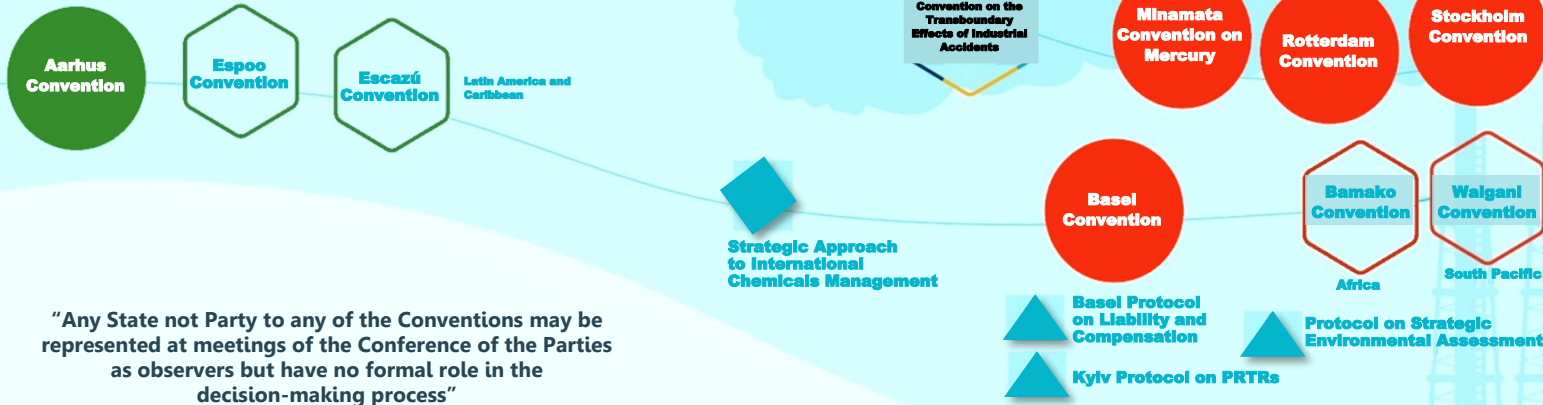
<https://www.sprep.org/convention-secretariat/noumea-convention>

https://www.sprep.org/attachments/Legal/Files_updated_at_2014/Dumping_Protocol.pdf

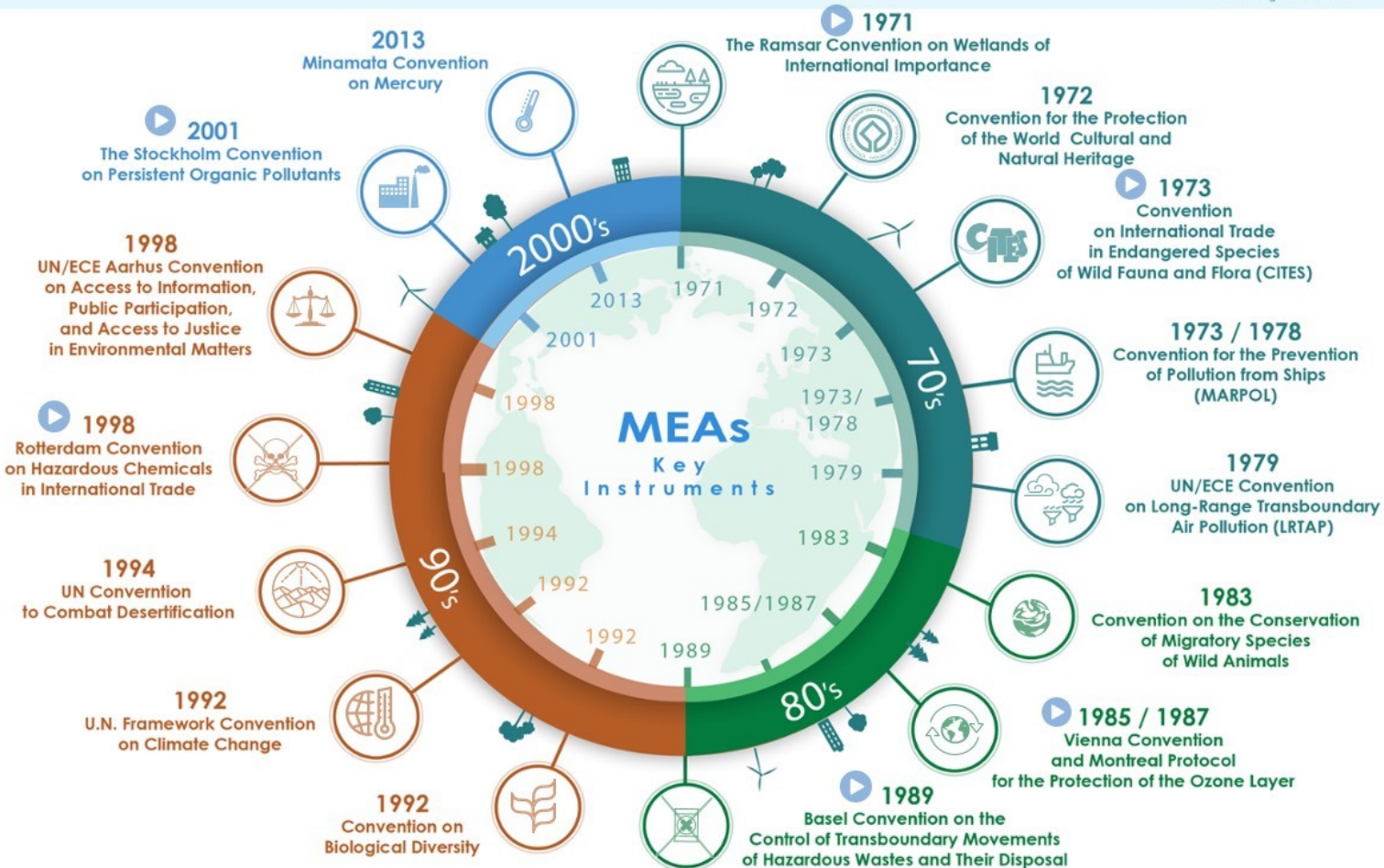
https://www.sprep.org/attachments/Legal/Files_updated_at_2014/Emergencies_Protocol.pdf

<https://www.informe.org/en/treaties/noumea-convention/text>

Environmental Governance



“Any State not Party to any of the Conventions may be represented at meetings of the Conference of the Parties as observers but have no formal role in the decision-making process”



Source: UN Environment, InforMEA, United Nations Institute for Trainings and Research (UNITAR)
 Visit <https://www.thinglink.com/scene/846020646906363905?buttonSource=viewLimits>
 to access the interactive version of the above diagram.



