

**STOCKHOLM CONVENTION ON
PERSISTENT ORGANIC POLLUTANTS (POPs),
DONE AT STOCKHOLM ON 22 MAY 2001
[2001] ATNIF 7**

Documents tabled on 9 September 2003

National Interest Analysis

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**NATIONAL INTEREST ANALYSIS: CATEGORY B TREATY
SUMMARY PAGE
Stockholm Convention on Persistent Organic Pollutants (POPs),
done at Stockholm on 22 May 2001
[2001] ATNIF 7**

Date of Tabling of Proposed Treaty Action

1. 9 September 2003.

Nature and Timing of Proposed Treaty Action

2. The proposed treaty action is ratification (under Article 25) of the Treaty, which was signed for Australia on 23 May 2001. It is proposed that Australia ratify by the end of 2003.
3. Under Article 26 the Treaty will enter into force generally 90 days after the deposit with the Secretary-General of the United Nations of the 50th instrument of ratification, acceptance, approval or accession. As at 25 August 2003, 35 States deposited such instruments. If Australia is not among the original Parties, the Treaty would enter into force for Australia on the 90th day after its instrument of ratification is deposited with the Secretary-General of the United Nations.
4. Under Article 18, Australia would make a declaration that for settlement of disputes to which Australia is a party, Australia recognises both arbitration in accordance with procedures to be adopted by the Conference of the Parties to the Treaty and adjudication by the International Court of Justice, consistent with existing policy favouring compulsory dispute settlement.
5. Under Article 25, Australia would make a declaration that any amendment to add a new chemical to the Treaty would only apply to Australia if it separately ratifies the amendment.

Overview and National Interest Summary

6. The objective of the Treaty is to protect human health and the environment from the effects of persistent organic pollutants (POPs). The Treaty sets out a range of control measures to reduce and, where feasible, eliminate releases of POPs into the environment, including emissions of by-product POPs. The Treaty also aims to ensure the sound management of stockpiles and wastes that contain POPs. The Treaty will initially cover control measures on 12 POPs, listed in Annexes A, B and C. Under Article 8, further chemicals may be added to the Treaty.
7. The Australian Government is committed to protecting people and the environment from potential hazards associated with POPs. Australia has already ceased to produce, import or use nine of the ten intentionally produced POPs covered by the Treaty. The Government is also implementing programs to address the unintended production of by-product POPs, which still occurs. There are also some stockpiles of POPs-contaminated waste in Australia and it is still possible that some contaminated products may enter the country.
8. Ratification of the Treaty would: build on and be consistent with existing state and federal systems that aim to protect the health and environment of Australians from the adverse effects of POPs; enhance Australia's capacity to influence international efforts to address chemicals issues; provide an efficient and effective mechanism to assist countries, particularly developing countries in our region, including Pacific Island states, to adopt and maintain sound chemical management processes to deal with health and environmental concerns related to POPs, consistent with Australian policy in the region; and demonstrate Australia's commitment to supporting effective and balanced approaches to global cooperation on the environment.

Reasons for Australia to Take the Proposed Treaty Action

9. Persistent Organic Pollutants (POPs) are chemicals that are toxic, persist in the environment and animals, bioaccumulate through the food chain, and pose a risk of causing adverse effects to human health and the environment even at low concentrations. POPs have been linked to adverse effects on human health such as cancer, damage to the nervous system, reproductive disorders and disruption of the immune system. Due to their potential for long range transboundary movement (circulating via the atmosphere, and other pathways), persistence, bioaccumulation and toxicity, POPs released overseas have the potential to affect the health and environment of Australians.

10. Over 90 percent of human exposure to POPs occurs through food intake, with foods of animal origin (including milk) being the predominant dietary source. Although chlorinated pesticides have long been identified as a problem, over the last few years concern has also grown internationally regarding health risks from industrial POPs and in particular those produced as unwanted by-products. Certain groups in the population such as unborn infants and young children are especially vulnerable.

11. Many developed countries, including Australia, have taken strong measures to reduce and eliminate releases of POPs. However, many developing countries still produce and use POPs, for instance in agriculture and vector management associated with disease control. In addition, stockpiles of unwanted POPs exist in many parts of the world. In developed and developing countries, some equipment (such as electrical transformers and capacitors) contains POPs.

12. Ratification of the Treaty would be consistent with the Government's commitment to the safe management of chemicals and would augment and complement existing domestic controls of POPs. It would provide greater certainty for chemicals management in Australia and provide an additional mechanism, on top of already strong domestic actions, to manage these dangerous chemicals.

13. While Australia has strict arrangements in place to deal with POPs domestically, its imports are still at risk of contamination by other countries. Stricter domestic limits on the acceptable levels of POPs in foods and stock-feed imposed by other countries would benefit the Australian agriculture industry through reduction of POPs in the environment, thus lessening the risk of contaminants affecting their products. Ratification would also help maintain Australia's reputation as a supplier of products which are "clean and green".

14. Reports required under the Treaty could provide useful information to domestic stakeholders and other countries on Australian techniques and approaches for dealing with POPs. Australia could gain from increased information about POPs management regimes in other countries and potentially adopt new elements into our own POPs management regimes.

15. The Treaty would provide valuable information on and help to identify other chemicals that may display POPs characteristics. In Australia, POPs banned for decades are still present in the food chain and in humans, although at much lower levels than previously detected. Estimates of the length of time that POPs chemicals will persist in the environment are being revised upwards with passing time and this trend highlights the importance of ensuring that the development and release of new chemicals with POPs characteristics is avoided.

16. As a Party to the Treaty, Australia would be better placed to protect the interests of Australia by ensuring the sound application of scientific criteria, particularly in relation to proposals for including additional POPs under the Treaty.

Obligations

17. The Treaty focuses on three broad areas: intentionally produced and used POPs; unintentionally produced or by-product POPs; and POPs in stockpiles and wastes. The Treaty will initially cover the following 12 POPs:

aldrin ^{1,A}	toxaphene ^{1,A}
chlordane ^{1,A}	mirex ^{1,A}
DDT ^{1,B}	hexachlorobenzene (HCB) ^{1,2,3,A,C}
dieldrin ^{1,A}	polychlorinated biphenyls (PCBs) ^{2,3,A,C}
endrin ^{1,A}	polychlorinated dibenzo-p-dioxins (dioxins) ^{3,C}
heptachlor ^{1,A}	polychlorinated dibenzofurans (furans) ^{3,C}

¹ Pesticide chemical

² Industrial chemical

³ By-product (unintentionally produced)

^A Listed on Annex A

^B Listed on Annex B

^C Listed on Annex C

18. Parties are required to develop implementation plans, which they must provide to the Conference of the Parties within two years of becoming a Party to the Treaty (Article 7).

Obligations relating to intentionally produced and used POPs

19. The Treaty contains obligations (Article 3) relating to restriction and elimination of Annex A and B chemicals (pesticides and industrial chemicals - shown in the table above).

20. Parties are required to eliminate or, in certain cases, reduce or restrict production, use, and trade of chemicals included in Annexes A and B, subject to certain exemptions and specific obligations relating to individual chemicals.

21. The exemptions that may relate to intentionally produced and used POPs specified in the Treaty include:

- chemicals to be used for laboratory-scale research or as a reference standard (Article 3(5));
- chemicals occurring as unintentional trace contaminants in products and articles (Annex A);
- chemicals occurring as constituents of articles manufactured or already in use before or on the date of entry into force of the Treaty, provided the Party has notified the Secretariat that a particular type of article remains in use. Such notification will be publicly available. Obligations still apply to these articles on becoming waste (Annex A);

- closed system site-limited intermediate chemicals - these are not end products, but are chemically transformed in the manufacture of other chemicals that do not exhibit POPs characteristics and no significant quantity of the chemical is expected to reach humans and the environment during production and use (currently only applies to HCB and DDT) (Annexes A and B); and
- chemicals used and/or produced that are registered as specific exemptions for a Party under the Treaty (Article 3(6) and Article 4). These will be subject to a review process within five years after entry into force of the Treaty. Australia would register for a specific exemption for the pesticide mirex, in accordance with Article 4, as mirex is currently the only pesticide that is effective in controlling the giant termite (*Mastotermes darwiniensis*), which is endemic to the tropical areas of Northern Australia. This pesticide is used in small quantities as a bait; no waste is generated by its use. The use is strictly controlled *via* permit and monitoring is undertaken to check for any occurrences in the environment and food. Research by the Northern Territory Government is currently under way to find suitable alternative controls for the giant termite in order to phase out the use of mirex as soon as possible.

22. Under Article 3(2)(b)(iii), export from a Party to a non-Party may occur, subject to certain conditions, including specification by the non-Party of the proposed use of the chemical concerned and provision of specified information, including information on measures to minimise POPs releases.

23. Parties will be required to take into account POPs characteristics (persistence, bio-accumulation, potential for long-range environmental transport, adverse effects to human health or the environment) when carrying out assessment of new and existing chemicals, so as to prevent the production and use of new pesticides or industrial chemicals, or the continuing use of chemicals, that exhibit these characteristics (Article 3, paragraphs 3, 4).

Obligations to control unintentionally produced or by-product POPs

24. The Treaty contains obligations relating to by-product POPs (Article 5 and Annex C). Annex C chemicals are hexachlorobenzene, polychlorinated biphenyls, dioxins and furans. The goal is to reduce the total releases of unintentionally produced by-product POPs from anthropogenic sources to achieve “continuing minimization and, where feasible, ultimate elimination”. Parties will be required to:

- develop a National Action Plan on unintended production of POPs within two years of entry into force of the Treaty and subsequently implement the plan (which will evaluate current and projected releases; evaluate efficacy of laws and policies to manage such releases; develop strategies; promote education and training with regard to awareness of these strategies; and review its own success and report to the Conference of the Parties);
- promote measures to reduce releases and eliminate sources, including developing substitute or modified materials, products and processes; and promoting and, in accordance with the implementation schedule of their action plans, requiring use of best available techniques and best environmental practices as defined under the Treaty.

Obligations relating to POPs in stockpiles and wastes

25. The Treaty contains obligations relating to stockpiles and wastes (Article 6). The goal is to ensure sound management of stockpiles and wastes, and products and articles upon becoming waste that consist of, contain, or are contaminated by POPs. Parties will be required to:

- identify and manage stockpiles and wastes containing POPs;
- take measures to handle, collect, transport and store wastes in an environmentally sound manner;
- dispose of wastes in a way that destroys their POPs content, or otherwise in an environmentally sound manner taking into account international rules, standards and guidelines; and
- endeavour to develop appropriate strategies for identifying sites contaminated by POPs.

Obligations relating to chemicals added to the Treaty

26. The Treaty also includes provisions for further chemicals with similar toxic, persistent and bioaccumulative properties to be added to Annexes A, B or C (Article 8). The process has three stages: first, nomination by any Party; second, a science-based assessment; and third, a decision by the Conference of the Parties.

27. When considering nominated chemicals (and possible control measures), the Conference of the Parties will attempt to make decisions by consensus, and if this fails by a three-quarter majority. After a decision by the Conference of the Parties that a chemical should be added to the Treaty, individual Parties then have the right to decide if and when they take on the obligations associated with an additional chemical (Article 22, see also Articles 21 and 25).

28. The Treaty contains two ways for Parties to make this decision. The first gives Parties a certain amount of time to provide a notification that they will not take on the obligations associated with an additional chemical and if no notification is provided then the Party is deemed to have accepted the obligation (Article 22 (4)). The other way requires a Party to make a declaration in its instrument of ratification that any amendment to add a new chemical would apply to it only if it separately ratifies, accepts, approves or accedes to the amendment (Article 25 (4)). This option allows for a Party to affirmatively decide that it will take on the obligations associated with an additional chemical.

29. Australia would make such a declaration (as outlined in paragraph 28 above) and undertake the full domestic treaty-making process in relation to any additional chemical.

Obligations relating to dispute settlement

30. Under Article 18 Parties have the option of making a declaration in relation to their preferred method of dispute settlement under the Treaty. A Party may declare it accepts either arbitration in accordance with procedures to be adopted by the Conference of the Parties to the Treaty, or adjudication by the International Court of Justice, or both. The effect would be to make one or the other compulsory in the event that the other Party has accepted the same obligation. Consistent with existing policy favouring compulsory dispute settlement, Australia would make a declaration to accept both options.

Implementation

31. Implementation of the Treaty would be the responsibility of three Australian Government Departments:

- Department of the Environment and Heritage;
- Department of Agriculture, Fisheries and Forestry; and
- Department of Health and Ageing.

32. The Department of the Environment and Heritage would have responsibility for overall coordination of the Commonwealth's actions to meet the obligations under the Treaty, including developing formal interagency arrangements between the Department of the Environment and Heritage and the other two agencies.

33. The Department of the Environment and Heritage would develop the National Implementation Plan (Article 7) and the National Action Plan on unintended production of POPs (Article 5), in consultation with State and Territory governments and other stakeholders.

34. Where possible, existing administrative procedures that are familiar to stakeholders would be used. Where changes to existing administrative procedures or the development of new procedures are required, stakeholders would be consulted.

35. The Department of Agriculture, Fisheries and Forestry would initiate the required changes to the agricultural and veterinary chemicals legislation and liaise with the Australian Customs Service on amendments to the *Customs (Prohibited Imports) Regulations 1956* and introduction of a new regulation to the *Customs (Prohibited Exports) Regulations 1958*.

36. The National Industrial Chemicals Notification and Assessment Scheme within the Office of Chemical Safety in the Department of Health and Ageing would initiate minor amendments to the Schedule of the *Industrial Chemicals (Notification and Assessment) Act 1989*, to incorporate the additional information requirements, as stipulated in Annex D of the Treaty, to ensure that assessments of new industrial chemicals would identify any POPs characteristics.

Costs

37. A decision by Australia to ratify the Treaty would involve additional domestic costs including contributions to support the activities of the Treaty and costs for Australian Government agencies associated with domestic implementation of the Treaty. It is estimated that costs to the Commonwealth would total around \$542,000 in the first year and then average \$456,000 in subsequent years.

38. Costs would also include an assessed annual contribution to the Secretariat core budget for Australia becoming a Party. Australia's contribution would be determined through standard UN scales of assessment and is likely to be approximately A\$85,000 annually. This may decrease as other countries become Parties to the Treaty.

39. With regard to Australian financial contributions for technical and other types of assistance, the Treaty does not impose any binding legal obligations. However, the Government may choose to make voluntary contributions.

40. Article 14 of the Treaty designates the Global Environment Facility (GEF), on an interim basis, as the principal financial mechanism for the Treaty, for the period between the entry into force of the Treaty and the first meeting of the Conference of the Parties (COP), or until the COP designates an alternative institutional structure. Consequently, the GEF created a focal area for 'Persistent Organic Pollutants'. Australia already contributes to this fund through AusAID – no additional funds would be required.

41. There are no other direct foreseeable financial costs to the Commonwealth of Australia, the States and Territories or industry from taking the proposed treaty action.

Consultation

42. Extensive consultation was undertaken in consideration of ratification. All stakeholders consulted support ratification. Details are provided in Annexure 1.

Regulation Impact Statement

43. A Regulation Impact Statement is attached.

Future Treaty Action

44. It is proposed that at the time of ratification, Australia would lodge a declaration that any amendment to Annexes A, B or C shall enter into force for Australia only upon the deposit of its instrument of acceptance of the amendment. Any future POPs added to the Treaty would each be the subject of a separate ratification process, invoking the domestic treaty-making process, including a hearing by the Joint Standing Committee on Treaties and development of a Regulation Impact Statement.

45. Any other amendments (which are not expected) would also be subject to our domestic treaty-making process.

Withdrawal or Denunciation

46. Under Article 28 a Party may withdraw from the Treaty by giving written notification to the UN Secretary-General any time after three years from the date of entry into force on the Treaty for that Party. Withdrawal would take effect one year from the date of receipt by the Depositary of such notification, or at any later date specified in the withdrawal notification. Australian withdrawal would be subject to the Australian domestic treaty process.

Contact details

Chemical Policy Section
Policy Coordination and Environment Protection Division
Department of the Environment and Heritage

Appendix 1 - Stakeholders whose views were sought on ratification

<u>Government</u>	<i>All State and Territory governments</i>
<u>Industry</u>	
Electricity	Electricity Supply Association of Australia
Cement	Cement Industry Federation
Steel	Queensland Nickel (QNI)*
Aluminium	Australian Aluminium Council
Plastics & Chemicals	<ul style="list-style-type: none"> • <i>Plastics and Chemicals Industries Association</i> • Nufarm Limited • Queensland Nickel (QNI)* • Australian Consumer & Speciality Products Association • Alpha Chemicals (Australia) Pty Ltd
Food	<ul style="list-style-type: none"> • Australian Food and Grocery Council • Food Policy Alliance • Australian Seafood Industry Council
Pharmaceuticals	<ul style="list-style-type: none"> • <i>Medicines Australia formerly the Australian Pharmaceutical Manufacturers Association</i>
Mining	<ul style="list-style-type: none"> • Rio Tinto Ltd • BHP Minerals • Normandy Mining Ltd • WMC Resources Ltd • Newcrest Mining Ltd • PASMINGO • Queensland Nickel (QNI)* • M.I.M. Holdings Ltd
Agriculture	<ul style="list-style-type: none"> • <i>National Farmers Federation</i> • <i>National Association for Crop Production and Animal Health (AVCARE)</i> • Dow AgroSciences Australia Ltd • Nufarm Limited*
<u>General</u>	<ul style="list-style-type: none"> • <i>Australian Paper Industry Council</i> • <i>Environmental Solutions International/Environment Business Australia</i> • <i>Minerals Council of Australia</i> • Sustainable Energy Industries Council of Australia • Business Council of Australia • Environment Management Industry Association of Australia • Australian Paint Manufacturers • Australian Institute of Engineers • Australian Industry Group • National Association of Forest Industries • Veterinary Manufacturers and Distributors Association • Australian Chamber of Commerce and Industry • Australian Institute of Petroleum • Environment Management Industry Association • Environment and Energy Services Australian Industry Group • Australian Petroleum Production & Exploration Association Ltd
<u>Environmental NGOs</u>	<ul style="list-style-type: none"> • <i>Australian Conservation Foundation</i> • <i>World Wide Fund for Nature</i> • <i>National Toxics Network</i> • <i>Greenpeace Australia Ltd</i>

<p><u>Other</u></p>	<ul style="list-style-type: none"> • <i>Professor Ian D. Rae, National Advisory Body for Scheduled Waste</i> • <i>Mr John Ardley, formerly involved in development and evaluation of pesticide products in conjunction with CSIRO Division of Entomology</i> • Women and the Environment Network, Environmental Management & Agriculture Department, University of Western Sydney • Australian Council for Overseas Aid • Australian Council of Trade Unions, National Industrial Research Officer, CFMEU • National Advisory Body for Scheduled Waste • Aboriginal & Torres Strait Islander Commission • Australian Consumers' Association • Environment Centre NT • Australian Institute of Environmental Health • Municipal Conservation Association • Australian Association for Environmental Education Environmental Sciences, Murdoch University • National Environmental Law Association • CSIRO - Division of Chemicals and Polymers • Australian Workers Union • Waste Management Association of Australia • Environment Victoria • Ms Kaye Dal Bon • Queensland Department of Employment, Training and Industrial Relations • Australian Local Government Association
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*Organisation appears under more than one category.

Italics indicates that a submission was received from that organisation.

**Stockholm Convention on Persistent Organic Pollutants (POPs),
done at Stockholm on 22 May 2001
[2001] ATNIF 7**

Consultations

Views on Australia's ratification of the Treaty were sought from affected and interested parties, including State and Territory governments, industry, non-government environmental organisations and the general public (a list of these parties can be found at Appendix 1 of the Regulation Impact Statement). Views were also sought throughout the negotiations of the Treaty text and prior to signature.

A formal process for public consultation was held from July to October 2002 (concurrent with those for the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade) and included:

- a press release in July 2002 calling for submissions on possible Australian ratification of the Treaty;
- provision of background papers for stakeholders, including State and Territory governments, in July 2002;
- access to information on the DFAT website linked with other agency websites (AFFA, DEH, NICNAS);
- continuous reporting to the Commonwealth-States-Territories Standing Committee on Treaties (SCOT) of progress on consideration of ratification;
- notices in the Commonwealth of Australia 'Chemicals Gazette' and the 'Agricultural and Veterinary Chemicals Gazette' of August 2002 seeking views on possible Australian ratification of the Treaty; and
- teleconferences, interagency meetings and bilateral meetings with representatives from State and Territory governments, industry organisations and NGOs.

The following details contributions and responses received from stakeholders:

State and Territory governments, industry groups and environmental NGOs support Australian ratification of the Treaty. None of the industry stakeholders have raised any concerns regarding adverse business effects, which confirms that industry is already compliant to a large extent with the obligations under the Treaty. A summary of replies is provided below.

State and Territory governments

State and Territory Governments were kept informed of developments in consideration of ratification through the Commonwealth-States-Territories Standing Committee on Treaties, in addition to direct consultation undertaken.

- The ACT Government supported the objective of the Treaty, in particular Article 5 that aims to reduce or eliminate release from unintentional production, such as from waste incinerators. It said that its current and proposed waste incineration programs and practices demonstrate results comparable to world's best practice.
- The NT Government supported ratification subject to Australia's registration for an exemption for the continued use of mirex as a termiticide. It noted the five year expiration and advised that research into an alternative to mirex is underway. NT said it was confident of achieving a suitable outcome within the timeframe.
- The NSW Government had no concerns with the Treaty at this stage.

- The Victorian Government said that it recognised the requirement for international cooperation to deal with POPs given their trans-boundary nature and that it was committed to protecting the environment from the impacts of hazardous chemicals and to working with other jurisdictions, including the Commonwealth, to achieve this end. It said that where implementation of Australia's obligations under the Treaty required action by State and Territory governments, it was essential that national consultative processes be used to ensure their support and commitment and integration of existing management schemes for POPs.
- The Queensland Government said that it supported ratification of the Treaty in principle, subject to the institution of appropriate consultation mechanisms. In its original submission, Queensland said that many of the Treaty obligations had already been achieved in Queensland because the use of many POPs had been totally phased out. However, it said that unintentionally produced POPs, especially by-products of existing industries present a challenge due to the high cost of monitoring and control, and a lack of information.

Queensland said that the National Action Plan (NAP) dealing with unintentionally emitted POPs could have the potential to significantly influence impacts on Queensland industry and the community. It proposed that a national forum, with representation agreed to by all State and Territory governments, be established to develop the NAP in a consistent and transparent way.

It said that adding to the chemicals covered by the Treaty would have the potential to impact on Queensland industry and proposed the establishment of a consultative forum, agreed to by all State and Territory governments, which would consider chemical listing proposals.

- The Tasmanian Government had no comments to make, other than that Australia had made significant progress towards its potential obligations under the Treaty.
- The SA Government had no issues to raise and noted that it remained interested in progress and would retain a watching brief.
- The WA Government said that State and Territory governments were well advanced in implementing the Treaty and ratification would have no additional impact as far as the original 12 substances identified, but that action would be required in relation to any new proposals under the Treaty. It said that it was imperative that Australia continued to participate and contribute to the international process and that appropriate consultation with State and Territory governments is facilitated by the Commonwealth. WA advised that ratification would involve minor amendments to its existing legislation, however, the benefits of ratification would far outweigh any inconvenience.

Industry and NGOs and others

- The Minerals Council of Australia (MCA) said that its main concern was the Treaty's treatment of by-products. It reiterated that any mechanisms to reduce or eliminate by-products, particularly dioxins and furans must be based on: sound science; an identified risk to human health and/or the environment; a clear understanding of the potential emission sources; a rigorous examination of the costs and benefits of proposed control measures; and information relevant to the Australian context.

MCA expressed concern about the requirement under Article 5 to implement best available techniques to reduce or prevent the release of 'new sources' of dioxins and furans within four years of the Treaty entering into force. It went on to say that it would expect that the flexibility and guidance as contained in Annex F and Annex C, Part IV in

relation to possible control measures would be fully considered in the development of a National Action Plan. MCA said that any Government review of relevant legislation should be done in consultation with all relevant stakeholders. It said that industry considered that the effective management of all potential human health and the environment issues must take into account all relevant economic, social and environmental considerations.

- Avcare said that it supported ratification of the Treaty, provided the Australian agricultural and veterinary medicine industry was fully consulted on any proposed addition to the POPs list, or any other issue that may impact on the agricultural and veterinary chemical industries in Australia arising from the treaty. Avcare advised that it was the peak body for the agricultural and veterinary chemical industry in Australia and its members sponsor 90% (based on dollar value) of all agricultural and veterinary chemicals sold in Australia and that all members had been consulted on this issue.
- The Plastics and Chemicals Industries Association (PACIA) said it commended the approach to consultation and noted that it had undertaken a consultative process with its members. It said that the industry supported the principles of the Treaty to protect human health and the environment. It said it strongly supported the commitment by the Commonwealth Government to keep costs associated with domestic implementation as low as possible and that any cost recovery would be undertaken in a manner consistent with the Cost Recovery Guidelines.

PACIA said that changes to the NICNAS Act and all amendments to legislation, even if minor, should be made in a manner consistent with the COAG principles including significant stakeholder consultation. It said that it strongly supported the use of existing structures such as the National Dioxin Program as a means of meeting Australia's commitments under the Treaty.

- The National Farmers' Federation supported ratification of the Treaty. It said that through Australia seeking a specific exemption for the continued use of mirex products in the immediate future, any detrimental effects of ratifying the Treaty would be averted. It said it had concerns that the range of chemicals currently listed under the Treaty may expand over time, and the ongoing nationally assessed risk-based registration of pesticides within Australia may be questioned under the Treaty. It said that on this basis, it was supportive of the components of the Treaty that provide for exemptions and generally permit trade between Parties and non-Parties to the Treaty. It said, therefore, that there did not appear to be any major issues preventing the NFF from supporting ratification. The NFF also encouraged the Government to acknowledge the work of both the chemical industry and farmers in removing this potentially hazardous material from farm storages.
- Medicines Australia said that, having consulted widely with its membership, it had no concerns with Australia's proposed ratification of the Treaty. It said that members had not perceived that there would be any costs to the prescription medicines sector as the chemicals involved were not used in the industry.
- The Australian Paper Industry Council (APIC) said that, as a general principle, paper manufacturing companies had devoted considerable resources to ensuring that any impact their operations had on the environment, including the release of unintentionally produced chemical by-products, was minimised. It said that in that context, it supported the Treaty's goal to "minimise, and ultimately eliminate where feasible" the release of unintentionally produced by-product POPs.

- Environment Business Australia (EBA) said that Australia had an enviable international reputation regarding the sound management of Scheduled Wastes, all of which formed a sub-set of the POPs listings. It said that since the management requirements of the Treaty essentially mirrored the requirements in the existing Australian Scheduled Waste Management Plans, it seemed logical and rational that Australia ratify the Treaty. EBA said that there would essentially be no additional economic burden placed on Australian industry by ratifying the POPs Treaty since most of Australia's POPs had already been destroyed or scheduled for destruction.
- Greenpeace, the National Toxics Network, the World Wide Fund for Nature and the Australian Conservation Foundation all said (in identical submissions) that Australia would be well placed to ratify the Treaty because of measures already taken by the Government to address the threat from POPs. They said a significant benefit of ratifying would be the reduction in the levels of highly toxic and persistent chemicals, which are currently entering Australia through imported food. They said that the trans-boundary movement of POPs through the atmosphere and ocean currents from neighbouring countries may prove to be a major source of exposure for Australia and should provide strong motivation for ratification and speedy implementation.

They said that ratification would enhance domestic measures for controlling and eliminating POPs by providing additional transparency, accountability and public information and had the potential also to lead to considerable commercial 'spin offs' for Australian waste technology including overseas. They also said that ratification would help to protect and reinforce Australia's enviable reputation as a 'clean and green' producer of agri-products and that, conversely, failure to ratify could jeopardise Australia's export markets when not able to substantiate the 'clean and green' claims, noting that exports of agricultural commodities totalled \$8.1 billion in 1999-2000. They said that there would be distinct advantage to being a Party in order to be involved in the decision making processes under the Treaty by placing Australia in a more opportune and proactive position.

**Stockholm Convention on Persistent Organic Pollutants (POPs),
done at Stockholm on 22 May 2001
[2001] ATNIF 7
Current status list**

Participant	Signature	Ratification, Acceptance (A), Approval (AA), Accession (a)
Albania	5 Dec 2001	
Algeria	5 Sep 2001	
Antigua and Barbuda	23 May 2001	
Argentina	23 May 2001	
Armenia	23 May 2001	
Australia	23 May 2001	
Austria	23 May 2001	27 Aug 2002
Bahamas	20 Mar 2002	
Bahrain	22 May 2002	
Bangladesh	23 May 2001	
Belgium	23 May 2001	
Belize	14 May 2002	
Benin	23 May 2001	
Bolivia	23 May 2001	3 Jun 2003
Bosnia and Herzegovina	23 May 2001	
Botswana		28 Oct 2002 a
Brazil	23 May 2001	
Brunei Darussalam	21 May 2002	
Bulgaria	23 May 2001	
Burkina Faso	23 May 2001	
Burundi	2 Apr 2002	
Cambodia	23 May 2001	
Cameroon	5 Oct 2001	
Canada	23 May 2001	23 May 2001
Central African Republic	9 May 2002	
Chad	16 May 2002	
Chile	23 May 2001	
China	23 May 2001	
Colombia	23 May 2001	
Comoros	23 May 2001	
Congo	4 Dec 2001	
Costa Rica	16 Apr 2002	
Côte d'Ivoire	23 May 2001	
Croatia	23 May 2001	
Cuba	23 May 2001	
Czech Republic	23 May 2001	6 Aug 2002
Democratic People's Republic of Korea		26 Aug 2002 a
Denmark	23 May 2001	
Djibouti	15 Nov 2001	

Dominica		8 Aug 2003 a
Dominican Republic	23 May 2001	
Ecuador	28 Aug 2001	
Egypt	17 May 2002	2 May 2003
El Salvador	30 Jul 2001	
Ethiopia	17 May 2002	9 Jan 2003
European Community	23 May 2001	
Fiji	14 Jun 2001	20 Jun 2001
Finland	23 May 2001	3 Sep 2002 A
France	23 May 2001	
Gabon	21 May 2002	
Gambia	23 May 2001	
Georgia	23 May 2001	
Germany	23 May 2001	25 Apr 2002
Ghana	23 May 2001	30 May 2003
Greece	23 May 2001	
Guatemala	29 Jan 2002	
Guinea	23 May 2001	
Guinea-Bissau	24 Apr 2002	
Haiti	23 May 2001	
Honduras	17 May 2002	
Hungary	23 May 2001	
Iceland	23 May 2001	29 May 2002
India	14 May 2002	
Indonesia	23 May 2001	
Iran (Islamic Republic of)	23 May 2001	
Ireland	23 May 2001	
Israel	30 Jul 2001	
Italy	23 May 2001	
Jamaica	23 May 2001	
Japan		30 Aug 2002 a
Jordan	18 Jan 2002	
Kazakhstan	23 May 2001	
Kenya	23 May 2001	
Kiribati	4 Apr 2002	
Kuwait	23 May 2001	
Kyrgyzstan	16 May 2002	
Lao People's Democratic Republic	5 Mar 2002	
Latvia	23 May 2001	
Lebanon	23 May 2001	3 Jan 2003
Lesotho	23 Jan 2002	23 Jan 2002
Liberia		23 May 2002 a
Liechtenstein	23 May 2001	
Lithuania	17 May 2002	
Luxembourg	23 May 2001	7 Feb 2003
Madagascar	24 Sep 2001	

Malawi	22 May 2002	
Malaysia	16 May 2002	
Mali	23 May 2001	
Malta	23 May 2001	
Marshall Islands		27 Jan 2003 a
Mauritania	8 Aug 2001	
Mauritius	23 May 2001	
Mexico	23 May 2001	10 Feb 2003
Micronesia (Federated States of)	31 Jul 2001	
Monaco	23 May 2001	
Mongolia	17 May 2002	
Morocco	23 May 2001	
Mozambique	23 May 2001	
Nauru	9 May 2002	9 May 2002
Nepal	5 Apr 2002	
Netherlands	23 May 2001	28 Jan 2002 A
New Zealand	23 May 2001	
Nicaragua	23 May 2001	
Niger	12 Oct 2001	
Nigeria	23 May 2001	
Niue	12 Mar 2002	
Norway	23 May 2001	11 Jul 2002
Oman	4 Mar 2002	
Pakistan	6 Dec 2001	
Palau	28 Mar 2002	
Panama	23 May 2001	5 Mar 2003
Papua New Guinea	23 May 2001	
Paraguay	12 Oct 2001	
Peru	23 May 2001	
Philippines	23 May 2001	
Poland	23 May 2001	
Portugal	23 May 2001	
Republic of Korea	4 Oct 2001	
Republic of Moldova	23 May 2001	
Romania	23 May 2001	
Russian Federation	22 May 2002	
Rwanda		5 Jun 2002 a
Saint Lucia		4 Oct 2002 a
Samoa	23 May 2001	4 Feb 2002
Sao Tome and Principe	3 Apr 2002	
Saudi Arabia	14 Mar 2002	
Senegal	23 May 2001	
Serbia and Montenegro	2 May 2002	
Seychelles	25 Mar 2002	
Singapore	23 May 2001	
Slovakia	23 May 2001	5 Aug 2002

Slovenia	23 May 2001	
South Africa	23 May 2001	4 Sep 2002
Spain	23 May 2001	
Sri Lanka	5 Sep 2001	
Sudan	23 May 2001	
Suriname	22 May 2002	
Sweden	23 May 2001	8 May 2002
Switzerland	23 May 2001	30 Jul 2003
Syrian Arab Republic	15 Feb 2002	
Tajikistan	21 May 2002	
Thailand	22 May 2002	
The Former Yugoslav Republic of Macedonia	23 May 2001	
Togo	23 May 2001	
Tonga	21 May 2002	
Trinidad and Tobago		13 Dec 2002 a
Tunisia	23 May 2001	
Turkey	23 May 2001	
Ukraine	23 May 2001	
United Arab Emirates	23 May 2001	11 Jul 2002
United Kingdom of Great Britain and Northern Ireland	11 Dec 2001	
United Republic of Tanzania	23 May 2001	
United States of America	23 May 2001	
Uruguay	23 May 2001	
Vanuatu	21 May 2002	
Venezuela	23 May 2001	
Viet Nam	23 May 2001	22 Jul 2002
Yemen	5 Dec 2001	
Zambia	23 May 2001	
Zimbabwe	23 May 2001	