

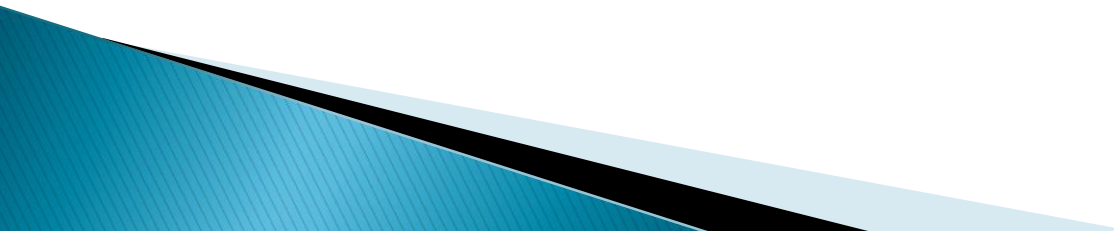
Measuring the Effectiveness of MEAs: the Stockholm Convention as a Case Study



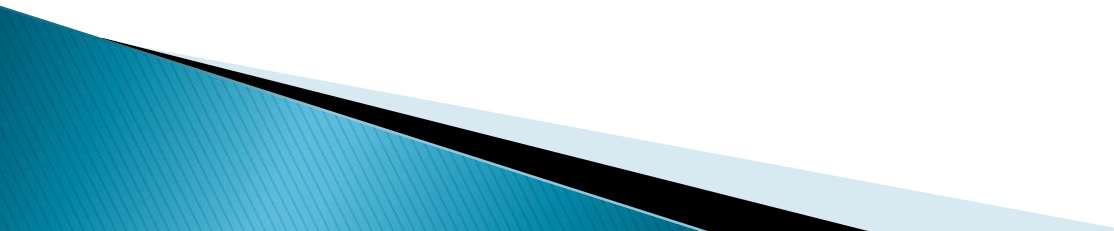
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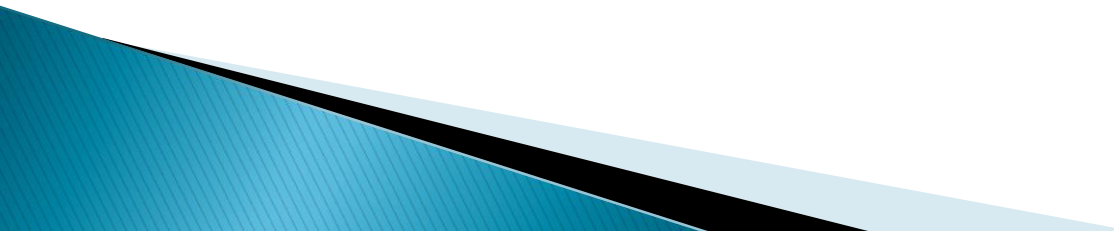
Outline

- What is “effectiveness” of an MEA?
 - Measuring effectiveness of MEAs: a Best Practice
 - Article 16: the journey begins...
 - Article 16: Effectiveness Evaluation
 - Stockholm Convention Effectiveness Evaluation Process
 - The Effectiveness Evaluation Framework Approved by COP
 - Purpose of the Evaluation
 - The Evaluation Framework: a snapshot
 - The Committee
 - Challenges in the Evaluation
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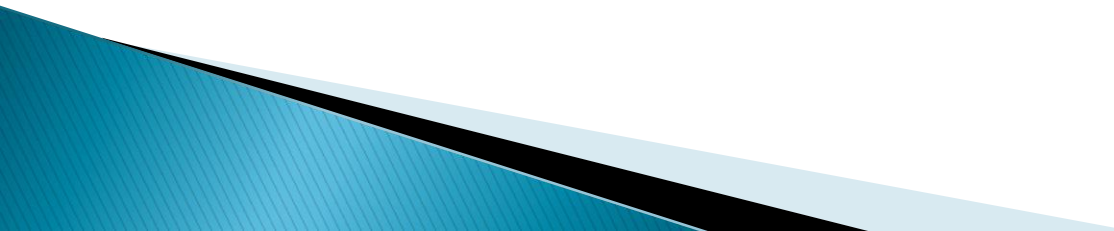
Outline...

- Sources of Information
 - Applying the Framework
 - Expressing Results: Main Findings, Conclusions, Recommendations
 - Challenges in developing Main Findings, Conclusions, Recommendations
 - Experience Using the Framework
 - Expressing Results: Overall Outcomes
 - Taking the Recommendations Forward: COP 2017
 - Parting Thoughts
 - References
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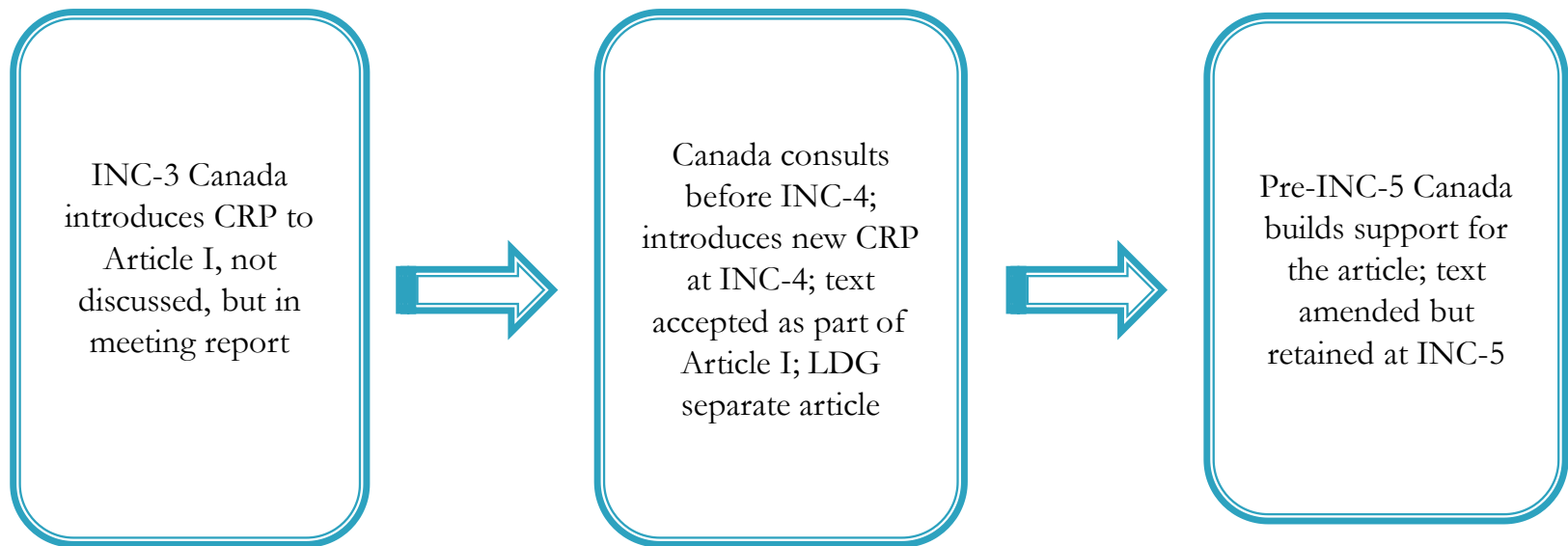
What is Effectiveness of an MEA?

- Effectiveness of an MEA is not the same as effective implementation of an MEA
 - Effectiveness of the MEA refers to whether the MEA is effective in achieving its objective(s)
 - For example, for the Stockholm Convention, if all Parties are compliant with its rules, and significant levels of POPs are still found in the environment, it could suggest that the treaty rules are not effective in achieving its objective of protecting human health and the environment from POPs
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Measuring Effectiveness of MEAs: a best practice

- The Montevideo Law Programme II identified the need for such provisions to be included in new MEAs
 - Increasingly included but little knowledge about their conduct
 - Inserted by Canada in: the Stockholm Convention (Art 16); the Cartagena Protocol (art. 35);
 - Cartagena provisions automatically copied into the Nagoya Protocol (art.31)
 - Minamata Convention on Mercury (art. 22): not automatically copied, but ultimately included language like Stockholm
 - Basel Article 15.7
 - Paris Agreement: Article 14 (Stocktaking)
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Article 16: the journey begins...



Article 16: Effectiveness Evaluation

1. Commencing **four years** after the date of entry into force of this Convention, and periodically thereafter at **intervals to be decided by the Conference of the Parties**, the Conference shall evaluate the effectiveness of this Convention.

2. In order to facilitate such evaluation, the Conference of the Parties shall, **at its first meeting**, initiate the establishment of arrangements to provide itself with **comparable monitoring data** on the presence of the chemicals listed in Annexes A, B and C as well as their regional and global environmental transport. These arrangements:

(a) Should be implemented by the Parties on a **regional basis** when appropriate, in accordance with their technical and financial capabilities, using existing monitoring programmes and mechanisms to the extent possible and promoting harmonization of approaches;

(b) May be **supplemented** where necessary, taking into account the differences between regions and their capabilities to implement monitoring activities; and

(c) Shall include **reports** to the Conference of the Parties on the results of the monitoring activities on a regional and global basis at intervals to be specified by the Conference of the Parties.

Article 16: Effectiveness Evaluation...

3. The evaluation described in paragraph 1 shall be conducted on the basis of **available scientific, environmental, technical and economic information**, including:

- (a) Reports and other monitoring information provided pursuant to paragraph 2;
- (b) National reports submitted pursuant to Article 15; and
- (c) Non-compliance information provided pursuant to the procedures established under Article 17.

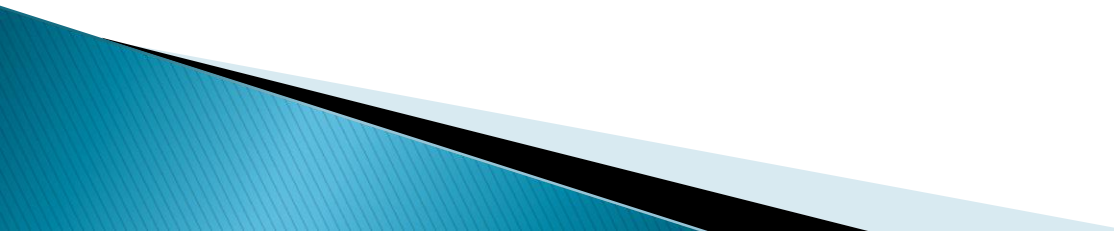
Stockholm Effectiveness Evaluation Process

- COP-1-COP-3: work on developing the global monitoring plan and implementation plan, including through 2 TWG meetings
- COP-4:
 - secretariat “light” evaluation to meet treaty requirements
 - Established working group to develop evaluation framework
 - Presentation of first global monitoring report
 - Agreed 6 year period for effectiveness cycle, two stage process: data compilation, data evaluation
- COP-5:
 - Working group reports with evaluation framework
 - Intersessional period of further refinement

Stockholm Effectiveness Evaluation Process...

- COP-6:
 - Approved the framework for the evaluation, including committee

 - COP-7:
 - Election of the Committee
 - Outcomes of the second phase of the global monitoring plan, including updated guidance on the plan with request to finalize the global monitoring report

 - COP-8:
 - Addressing the report of the Effectiveness Evaluation Committee
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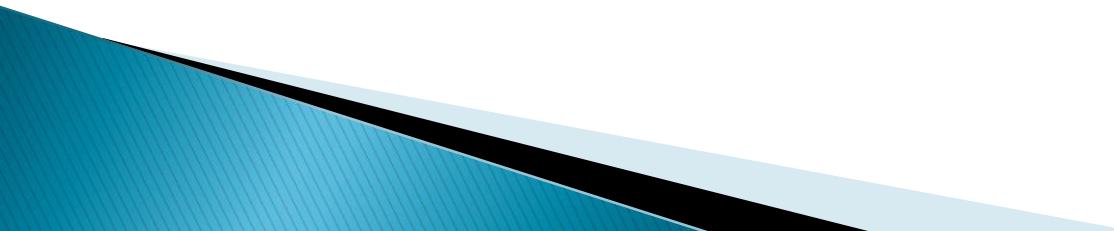
The Framework approved by COP

➤ Framework (UNEP/POPS/COP.6/27/Add.1/Rev.1) consisted of:

- Purpose of the effectiveness evaluation;
- Arrangements for conducting the effectiveness evaluation;
 - Stage 1: information-gathering
 - Stage 2: information analysis
- Elements and indicators for the effectiveness evaluation;
 - Article by article, 1-16
 - general
- Limitations of the effectiveness evaluation;
- Terms of reference for an effectiveness evaluation committee.

Purpose of the Evaluation

To assess **whether the Convention has succeeded in achieving its objective** of protecting human health and the environment from persistent organic pollutants; to determine the effectiveness of the specific measures taken to implement the Convention in achieving this objective; and to identify ways to improve the effectiveness of the Convention.



The Evaluation Framework: a snapshot

Protecting human health and the environment (Article 1)

24. The outcome to be addressed in assessing the effectiveness of efforts to achieve the Convention objective set out in Article 1 is whether the levels of persistent organic pollutants in humans and the environment have diminished over time. This represents a global outcome indicator of improved human health and environmental protection.

25. Three indicators have been identified for this outcome:

Outcome indicator 1	Changes in levels of each of the listed persistent organic pollutants in air
Outcome indicator 2	Changes in levels of the listed persistent organic pollutants in humans
Outcome indicator 3	Changes in levels of the listed persistent organic pollutants in other environmental media, as available
Source of information for the indicators	Global monitoring plan
Data limitations	Available data, significant geographical gaps and the relevance of long-range transport in the interpretation of trends are discussed in the 2009 global monitoring plan report (decision SC-4/31). To reduce data limitations it is important to increase the comparability of long-term global monitoring data in the core media and to provide support for developing countries and countries with economies in transition to participate in monitoring activities to address the gaps identified in the global monitoring plan report.
Baseline	First global monitoring plan reports or first monitoring result for a particular chemical in a particular geographical location published in the next global monitoring plan reports

The Committee

- The effectiveness evaluation committee shall consist of fourteen experts:
 - Ten experts designated by parties from the five United Nations regions, and elected by the Conference of the Parties;
 - One expert from the global coordination group of the global monitoring plan;
 - One expert from the compliance committee (when and if established);
 - Two internationally recognized experts in the field of effectiveness evaluation.
 - Invited Experts (from Roster): not used
 - Chair and Vice-Chair elected



- Met twice for 3 and 4 days
- Worked intersessionally on drafts

Challenges in the Evaluation

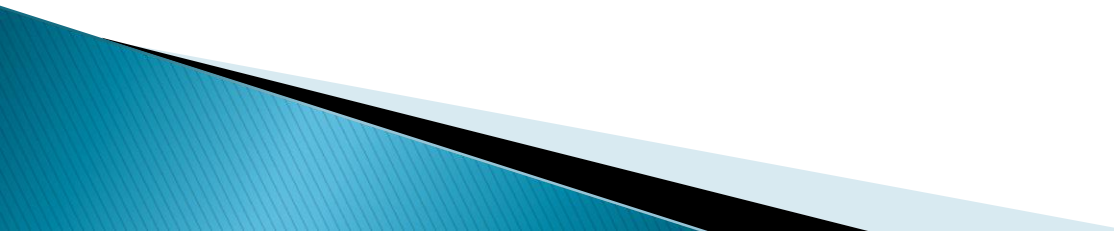
- Collecting **comparable data** from a large and diverse number of Parties is complex
- **National reports** a main source of data, but:
 - lack of national reports, lateness and inaccuracies they contained
 - When data available, difficult to compare between countries or regions
 - Lack of data on outcomes limits ability to interpret available information
- **Absence of a compliance mechanism** has resulted in large gaps in information on whether Parties are meeting their obligations under the Convention.
 - Such information is crucial in determining whether the Convention is effective in meeting its objective, for if all Parties move towards full compliance, and there remain significant levels of listed POPs in the environment, then this could suggest that current Convention controls do not sufficiently address the problem of POPs.

Sources of Information

- The information compiled during the first stage included:
 - Information on environmental monitoring in core media provided through the global monitoring plan
 - Information from parties provided through national reports submitted pursuant to Article 15
 - Information on non-compliance provided through procedures to be established under Article 17 (NIL)

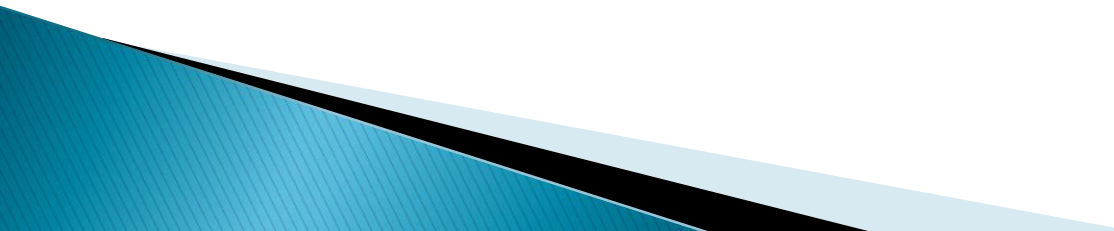
 - Article 16 also refers to available scientific, environmental, technical and economic information, including the above; other sources used, inter alia:
 - National Implementation Plans
 - COP decisions
 - Reports for COP from expert and other groups (e.g. review of the financial mechanism)
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Applying the Framework

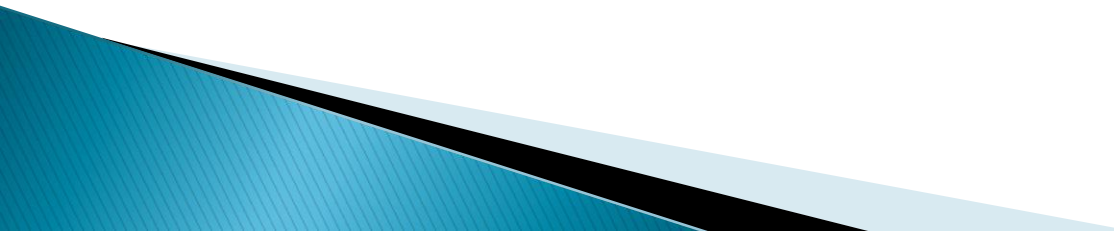
- Two-stage process the Committee:
 - Applying the framework adopted by COP-6
 - Evaluating whether the framework needed improvement
 - Article by Article approach, following the framework
 - Reviewing the available information gathered by the secretariat, noting gaps
 - Analysis of available information by indicator
 - General and Cross-cutting Issues
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Expressing Results: Main Findings, Conclusions and Recommendations

- Took the approach of the Global Monitoring Plan:
 - Main Findings
 - Conclusions
 - Recommendations

 - Undertaken article by article, general and cross-cutting
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Challenges in Developing MF, Conclusions, Recommendations...

- Full report was lengthy (approx. 150 pp.)
 - Use of charts and graphs to simply present complex data
 - Need to ensure consistency between different parts of the report, including on same chemical under different articles
 - Picking up cross-cutting issues throughout
 - Ensuring that there was an appropriate link between information, analysis, main findings, conclusions and recommendations
 - Search for value-added recommendations
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Experience using the Framework

- The Committee approach considered successful
 - Framework was comprehensive and thorough
- Some improvements suggested:
 - Outcome indicators were enhanced and augmented
 - Reduction of indicators in some areas
 - Chemical by chemical analysis could be additional form of analysis
 - Greater look at general and cross-cutting needed

Expressing Results: Overall Outcomes

- In addition to conclusions and recommendations, the Committee developed a short list of “overall outcomes”:
 - the **Stockholm Convention provides an effective and dynamic framework** to regulate POPs throughout their lifecycle, addressing the production, use, import, export, releases, and disposal of these chemicals worldwide.
 - However, **inadequate implementation is the key issue** that has been identified in this evaluation.
 - Mechanisms and processes required by the Convention to support Parties in meeting their obligations have all been put in place, with the exception of procedures and **mechanisms on compliance**.

Expressing Results: Overall Outcomes

- A **key challenge** in undertaking the evaluation was the **limited data** available from national reports and national implementation plans, and recommendations have been made to address these and other implementation issues.
- Monitoring results indicate that **regulations targeting POPs are succeeding in reducing levels of POPs** in humans and the environment.
 - For **legacy POPs**, concentrations measured in air and in human populations **have declined** and continue to decline or remain at low levels due to restrictions on POPs that predated the Stockholm Convention and are now incorporated in it.
 - For the **newly listed POPs**, concentrations are **beginning to show decreases**, although in a few instances, increasing and/or stable levels are observed.

Taking the Recommendations Forward: COP 2017

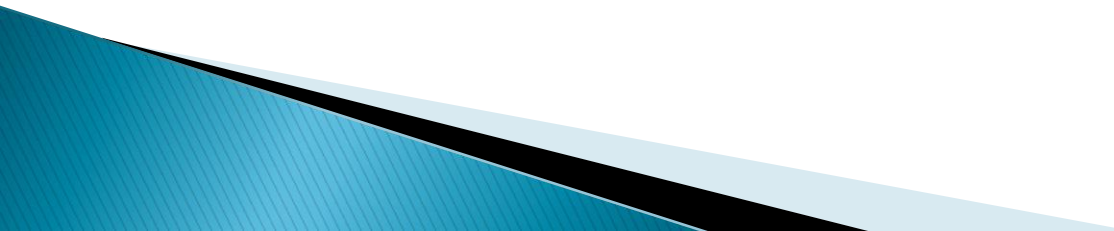
➤ Decisions:

- COP decision for EE in general
- Specific recommendations to be taken up within other relevant COP decisions (e.g. financial mechanism, technical decisions)

➤ Documents:

- **Working document:** executive summary of full Effectiveness Evaluation Report containing:
 - All main findings, conclusions and recommendations
- **Information documents:**
 - Full EE Report
 - Experience using the Framework

Parting Thoughts

- The need for ongoing effectiveness evaluation is crucial to ensure an ongoing assessment of the success of a treaty in achieving its objectives
 - All treaties should be doing it, not just those monitoring pollution
 - The process provides valuable insights into treaty strengths and weaknesses
 - The process also provides a valuable overview of treaty activities in one single document
 - While some conclusions were fairly obvious (e.g. low reporting rates), the opportunity for providing some value-added recommendations—in the context of linking the analysis with all parts of the Convention as a whole—was extremely valuable
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References



1. Stockholm Convention on Persistent Organic Pollutants
2. MEA Negotiator's Handbook, pp. 6-16 to 6-17
3. Framework:
UNEP/POPS/COP.6/27/Add.1/Rev.1
4. 2nd meeting of the SC Effectiveness Evaluation Committee [<link>](#)

Kiitos!

