

Briefing note on the work under the Basel, Rotterdam and Stockholm Conventions as it relates to the sound management of chemicals and waste

1. With the present briefing note, the Secretariat of the Basel, Rotterdam and Stockholm Conventions wishes to contribute information to support the work of member States towards the development of a possible resolution *on the sound management of chemicals and waste*. Bearing in mind that all three conventions are geared towards protecting human health and the environment against the adverse effects of hazardous chemicals and wastes, the present note focuses on presenting information directly related to key features of the draft resolution under consideration.

I. Key developments under the Basel, Rotterdam and Stockholm Conventions

2. The sixteenth meeting of the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal (Basel Convention COP-16), the eleventh meeting of the Conference of the Parties to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (Rotterdam Convention COP-11) and the eleventh meeting of the Conference of the Parties to the Stockholm Convention on Persistent Organic Pollutants (Stockholm Convention COP-11) were held back-to-back in Geneva, Switzerland from 1 to 12 May 2023.

3. During their meetings, the COPs adopted a total of 54 decisions to strengthen and expand efforts to achieve their objectives. Among those decisions, eight are joint to two or three of the conventions, for instance on enhanced cooperation with other bodies, technical assistance, preventing and combating illegal traffic and trade, and the clearing-house mechanism.

4. The Basel Convention COP-16 adopted technical guidelines on the environmentally sound management (ESM) of plastic wastes. The technical guidelines reflect the first global understanding of how to manage plastic waste in an environmentally sound manner, from identification, prevention or reduction, collection and transport, and until disposal, including recycling and recovery, so as to minimize the negative impacts on human health and the environment. This represents an important contribution to the momentum to tackle plastic pollution. The technical guidelines will assist countries in strengthening their waste management systems and tackling plastic waste at source.

5. Among the other significant outcomes were the adoption of several other technical guidelines (POPs wastes, e-wastes) which provide the foundation upon which countries can operate at a standard that is not less environmentally sound than that required by the Basel Convention.

6. The COP also decided to continue the technical work on some of other technical guidelines, notably, on wastes batteries (i.e., waste lead-acid batteries, and other batteries such as lithium batteries). In addition, the COP decided to launch new streams of work to improve the functioning of the Prior Informed Consent (PIC) procedure and to develop a new strategic framework for the Convention.

7. The Rotterdam Convention COP-11 adopted 15 decisions. Among them, one decision amended Annex III to the Convention to list therein the pesticide terbufos recommended for listing by the Chemical Review Committee (CRC). Terbufos which is an extremely high hazard to terrestrial organisms will be subject to the Prior Informed Consent procedure. The listing entered into force on 22 October 2023. Parties to the Rotterdam Convention will be required to transmit their response regarding the future import of this pesticide by 21 July 2024.

8. The Stockholm Convention COP-11 took 27 decisions. Among those, the most significant outcomes were the adoption of a compliance mechanism, marking a historical achievement after two decades of negotiations. This means that all three conventions now have compliance mechanisms in place.

9. Additionally, COP-11 listed three new chemicals, namely the pesticide methoxychlor and the industrial chemicals Dechlorane Plus and UV-328, in Annex A to the Convention, for eventual phase-out. The two industrial chemicals are heavily used as plastic additives, such as for motor vehicles, industrial machines and in medical devices.

10. COP-11 also completed the second effectiveness evaluation of the Convention, concluding that it provided an effective and dynamic framework for regulating POPs throughout their life cycle, and that progress occurred since the first evaluation in 2017. Drawing upon the results of the global third monitoring report, regulations targeting POPs have succeeded in reducing levels of POPs in humans and the environment. For the initial 12 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; and for the newly listed POPs, concentrations start showing decreasing levels.

11. COP-11 further adopted a report on progress towards the elimination of polychlorinated biphenyls (PCB) and urged Parties to meet their obligations towards the 2025 and 2028 deadlines under the Convention, while recognizing the specific needs and challenges of developing countries.

12. Under joint issues, the three COPs called for enhanced cooperation to address the triple planetary crisis with a large number of international bodies and processes, including with UNEP (e.g. INC, science-policy panel on chemicals, waste and pollution prevention, 10-Year Programmes on Sustainable Consumption and Production Patterns, the Strategic Approach to International Chemical Management (SAICM) and the United Nations Environment Assembly (UNEA)), the Minamata Convention on Mercury, the Convention on Biological Diversity, the Montreal Protocol on Substances that Deplete the Ozone Layer, the United Nations Framework Convention on Climate Change and the participating organizations of the Inter-Organization Programme for the Sound Management of Chemicals (IOMC). Those decisions will greatly assist the conventions in strengthening multilateral efforts and collaborative action and solutions to address the interlinked environmental crises.

13. The three COPs also encouraged UNEP, among others, according to its mandate and priorities, to continue to support the technical assistance plan for the implementation of the Basel, Rotterdam and Stockholm conventions for the period 2022–2025.

14. In terms of results and impact, over 1,400 participants from 177 Parties and 165 observer entities attended the meetings - which demonstrates that multilateralism works and significant gains were delivered by the last BRS COPs to address the interconnected nature of the multiple environmental crises we face.

II. New global framework on chemicals – For a planet free of harm from chemicals and wastes

15. In line with relevant mandates, the Secretariat has continued to cooperate with SAICM, providing relevant input and taking part in the intersessional process considering SAICM and the sound management of chemicals and waste beyond 2020, including by contributing to the intersessional process, participating in relevant meetings including the fifth session of the International Conference on Chemicals Management which took place from 25 to 29 September 2023 in Bonn, Germany, and during which the Global Framework on Chemicals – For a planet Free of Harm from Chemicals and Wastes, along with a set of resolutions to support its implementation and a high-level declaration were adopted.

16. The SAICM secretariat submitted an update on its work, including the 2020 beyond intersessional process, to the conferences of the Parties to the Basel, Rotterdam and Stockholm conventions for their information at their 2023 meetings.¹

17. In their 2023 decisions on international cooperation and coordination with other organizations, the three COPs to the BRS conventions requested the Secretariat to continue to cooperate with the secretariat of the new Global Framework on Chemicals and to prepare a report, including possible recommendations, on how the Basel, Rotterdam and Stockholm conventions could contribute to the new framework. The COPs also requested the Secretariat to develop a proposal for the inclusion in the programme of work for the biennium 2026–2027 of activities to support the implementation of the global framework, in line with the objectives of

¹ Document UNEP/CHW.16/INF/39–UNEP/FAO/RC/COP.11/INF/22–UNEP/POPS/COP.11/INF/44.

the conventions. The report and proposal are expected to be considered by the COPs at their 2025 meetings.

III. Issues of concern

18. In line with relevant mandates, the Secretariat has participated in the consultative process launched by UNEP on priorities for further work and potential further international action on issues of concern in response to resolution 4/8. It attended the global consultation meeting in July 2023 and made a written submission to the process.

19. As described in the *Assessment Report on Issues of Concern* and the *Summary Analysis of Stakeholders' Views on Priorities for Further Work and Potential Further International Action*², the Basel, Rotterdam and Stockholm conventions provide some avenues for international actions to address several of the substances or groups of substances of concern outlined in the report, within their scopes and mandates.

20. The Basel, Rotterdam and Stockholm conventions partially cover and guide international actions to address a number of the issues of global concern namely:

- (a) Per- and polyfluoroalkyl substances (PFASs) through the Stockholm Convention and Basel Convention;
- (b) Highly hazardous pesticides through all three BRS conventions;
- (c) Life-cycle approach to electronic and electronic products through the Basel Convention and Stockholm Convention;
- (d) Endocrine-disrupting chemicals through the Stockholm Convention;
- (e) Chemicals in products through the Stockholm Convention and Basel Convention;
- (f) Arsenic, cadmium and environmentally persistent pharmaceutical pollutants through the Basel Convention;³
- (g) Lead through the Basel Convention⁴ and Rotterdam Convention;⁵
- (h) Organotins through the Rotterdam Convention.⁶

21. It seems important to take those existing efforts into account when identifying further work and potential further international action on issues of concern with a view to consolidating global actions, enhancing coherence and avoiding duplication of work.

22. Actions on those issues could be, among other things, to reemphasize the importance of existing international instruments to address relevant issues of global concern, to welcome efforts to strengthen the implementation of those existing international instruments or, as those instruments are evolving over time under the decisions of their governing bodies, to invite those bodies to consider further efforts under them, as appropriate.

IV. Cooperation with the Inter-Organization Programme for the Sound Management of Chemicals

23. In their decisions BC-16/22, RC-11/9 and SC-11/21, on international cooperation and coordination with other organizations, the conferences of the Parties to the conventions accepted the invitation by the heads of the participating organizations of the IOMC for the

² <https://www.unep.org/explore-topics/chemicals-waste/what-we-do/emerging-issues/issues-concern>

³ Internationally, under the Basel Convention, wastes that have arsenic or arsenic compounds (waste category code Y24) as well as metal wastes and waste consisting of alloys of arsenic (waste category code A1010); wastes that have cadmium or cadmium compounds (waste category code Y26) as well as metal wastes and waste consisting of alloys of cadmium (waste category code A1010), wastes that have, as constituents, lead or lead compounds and waste consisting of alloys of lead; waste from clinical wastes from medical care in hospitals, medical centres and clinics (Y1), wastes from the production and preparation of pharmaceutical products (Y2) and waste pharmaceuticals, drugs and medicines (Y3) are listed as hazardous wastes (unless they do not possess any of the hazardous characteristics listed in Annex III) and thus subject to the Convention provisions.

⁴ Wastes that have, as constituents, lead or lead compounds and waste consisting of alloys of lead are considered hazardous wastes,

⁵ The main ingredients of lead (e.g. tetraethyl lead and tetramethyl lead) are listed in Annex III of the Convention and therefore the Convention's provisions apply to those chemicals.

⁶ Tributyltin compounds (a specific type of organotins) are listed in Annex III of the Rotterdam Convention.

Basel, Rotterdam and Stockholm conventions, through their respective secretariat, to become a participating organization of the Programme.

24. In accordance with this mandate, the BRS secretariat participated, as a participating organization of the IOMC, in the 60th meeting of the IOMC Inter-Organization Coordinating Committee held on 21 and 22 November 2023 in Geneva, and will continue its active engagement with IOMC members and other relevant activities.

V. Financial resources and mechanisms

A. Financial mechanism of the Stockholm Convention

25. At its 2023 meeting, the Conference of the Parties to the Stockholm Convention adopted decision SC-11/4, on financial mechanism, in which, among other things, it adopted the terms of reference for the sixth review of the financial mechanism; the terms of reference for the assessment of the funding needed by developing country Parties and Parties with economies in transition for the implementation of the Stockholm Convention over the period 2026-2030 and reiterated its strong encouragement to countries and others in a position to do so to provide complementary support for the elimination and disposal of PCB to meet the Convention's 2025 and 2028 deadlines. In that decision, it also requested the Secretariat to continue to engage with entities providing multilateral, regional and bilateral financial and technical assistance to strengthen their efforts to fund activities aimed at achieving the Convention's 2025 and 2028 deadlines on PCB.

B. Integrated approach to financing and the Special Programme

26. In accordance with decisions BC-12/18, RC-7/8 and SC-7/22 on the implementation of the integrated approach to financing sound management of chemicals and waste, the Secretariat continues to take the integrated approach as a reference in its mandated activities and its support to Parties to the three conventions.

27. On the external financing component, the Secretariat has continued to participate in the internal task team of the Special Programme to support institutional strengthening at the national level for implementation of the Basel, Rotterdam and Stockholm conventions, the Minamata Convention and the Strategic Approach and has attended as an observer all the meetings of the Programme's Executive Board.

28. As underscored in the reports on the needs of developing countries and countries with economies in transition for technical assistance and technology transfer under the conventions,⁷ there is an urgent need for support to strengthen countries' institutional capacity for the sound management of chemicals and wastes, including through the development of legal and institutional frameworks.

29. This cooperation between the Secretariat and the Special Programme aims at ensuring mutually reinforcing efforts under the conventions and under the Special Programme in view of supporting Parties with the implementation of the conventions. This is achieved for instance by encouraging that Special Program projects are informed by and take into account existing activities undertaken by various bodies under the conventions, in particular the compliance committees, in order to increase efficiency and avoid duplication of efforts. The Secretariat also encourages the use of outcome indicators in the projects such as, among others, the transmission of national reports under the Basel and Stockholm conventions, the transmission of national implementation plans under the Stockholm Convention, the transmission of import responses under the Rotterdam Convention, and the designation of country contacts under the three conventions. The Secretariat also encourages that activities under the Special Programme make use of guidance and other documents developed under the conventions. UNEP submitted a report on the implementation of the Special Programme to the conferences of the Parties to the Basel, Rotterdam and Stockholm conventions for their information at their 2023 meetings.⁸

30. At their 2023 meetings, the conferences of the Parties, in their decisions BC-16/19, RC-11/7 and SC-11/5, requested the Secretariat to explore the development of a non-State actor resource mobilization strategy, for their consideration at their 2025 meetings.

⁷ Documents UNEP/CHW.15/INF/30–UNEP/FAO/RC/COP.10/INF/18–UNEP/POPS/COP.10/INF/30.

⁸ Document UNEP/CHW.16/INF/35–UNEP/FAO/RC/COP.11/INF/18–UNEP/POPS/COP.11/INF/35.

IV. Requests to the Executive Director

31. The Secretariat of the Basel, Rotterdam and Stockholm conventions has a general mandate for programmatic cooperation with UNEP, in line with the conventions' texts and through various decisions adopted by the conferences of the Parties over the years.

32. During their 2023 meetings, for instance, the conferences of the Parties adopted 24 decisions inviting UNEP to cooperate with the Basel, Rotterdam and Stockholm conventions. In their decisions BC-16/22, RC-11/9 and SC-11/21, on international cooperation and coordination with other organizations, the conferences of the Parties to the conventions reiterated their request to the Executive Secretary to cooperate with the Executive Director of UNEP in fostering the implementation of UNEA resolutions that are relevant to the Basel, Rotterdam and Stockholm conventions. The conferences of the Parties also welcomed programmatic cooperation between the secretariat and UNEP on areas of mutual interest and requested the Secretariat to continue such programmatic cooperation efforts.

33. Within these mandates, the Secretariat has continued to engage with UNEP at the programmatic level with a view to contributing to the implementation of certain aspects of the UNEP medium-term strategy for 2022–2025, the UNEP programme of work for 2022–2023 and resolutions of the United Nations Environment Assembly of relevance to the conventions. UNEP has continued to undertake activities to provide support to Parties for the implementation of the conventions as well as in response to specific requests from the conferences of the Parties to the conventions.

34. More specifically, the Secretariat has engaged with UNEP in the implementation of the following resolutions: resolution 5/7 on the sound management of chemicals and waste; resolution 5/8 on science-policy panel to contribute further to the sound management of chemicals and waste and to prevent pollution; resolution 5/12 on environmental aspects of minerals and metals management, resolution 5/14 on an international legally binding instrument on plastic pollution and resolution 5/11 on enhancing circular economy as a contribution to achieving sustainable consumption and production.

35. With regard to the implementation of resolution 5/7 on the sound management of chemicals and waste, the Secretariat has contributed information to the consultative process on issues of concern and the preparation of a report on a document outlining options for addressing asbestos contaminants in products and the environment. The Secretariat also cooperated with UNEP to the further development of knowledge on chemicals-related issues of plastic pollution through the release of a report *Chemicals in Plastics: A Technical Report*.

36. With regard to the implementation of resolution 5/14, and its participation in the intergovernmental negotiating committee (INC) to develop a legally binding instrument on plastic pollution, including in the marine environment, the Secretariat participated in the first, second and third sessions of the INC, submitted information from the Basel, Rotterdam and Stockholm conventions, as requested by the conferences of the Parties; supported the secretariat of the INC in document preparation and other aspects of the preparation and servicing of the sessions; and organized the third meeting of the working group of the Basel Convention Partnership on Plastic Waste back-to-back with the first session of the INC, in particular the multi-stakeholder forum, providing opportunities to exchange information and gather perspectives of stakeholders across the plastic life cycle. The secretariat of the INC submitted an update on its work to the conferences of the Parties to the Basel, Rotterdam and Stockholm conventions for their information at their 2023 meetings.⁹

37. With regard to the implementation of resolution 5/8, and its participation in the ad hoc open-ended working group on a science-policy panel to contribute further to the sound management of chemicals and waste and to prevent pollution, the Secretariat maintained bilateral contacts with the secretariat of the ad hoc open-ended working group, briefed the secretariat on topics related to the Basel, Rotterdam and Stockholm conventions and answered queries relevant to the negotiations of the open-ended working group; participated in preparatory workshops and webinars, in some cases as a panellist or speaker; attended the first and second sessions of the open-ended working group; facilitated contacts between the secretariat of the open-ended working group and the bureaux of the conferences of the Parties and directors of the Basel and Stockholm conventions regional centres; and relayed the invitation in paragraph 6 of decisions BC-15/25, RC-10/14 and SC10/21, from the conferences of the Parties to the Parties of the Basel, Rotterdam and Stockholm conventions participating in

⁹ Document UNEP/CHW.16/INF/40–UNEP/FAO/RC/COP.11/INF/23–UNEP/POPS/COP.11/INF/45.

the open-ended working group, to consider the linkages between the science-policy panel and the science-policy bodies under the conventions, to promote coordination and cooperation, as appropriate, and to avoid overlap and duplication of work.

38. The Secretariat also engaged with UNEP as part of its technical assistance and capacity-building activities to support Parties to enhance the implementation of the conventions (e.g., on reporting, national implementation plans, financing, legal frameworks, enforcement, monitoring, information exchange, or specific chemicals and waste types). On the matter of technical assistance, activities undertaken fall under the general framework of the technical assistance plan for the implementation of the conventions for the period 2022–2025.¹⁰ The plan seeks to engage all relevant technical assistance providers, including Parties, non-Party States, Basel and Stockholm conventions regional centres, UNEP, FAO, as well as their regional offices, and other relevant organizations for implementation of specific activities contained therein.

39. A report of the Executive Director of UNEP on programmatic cooperation and the implementation of COP decisions relevant to UNEP, including support provided to Parties to implement the conventions, was submitted to the conferences of the Parties to the BRS conventions, for their consideration at their 2023 meetings.¹¹

¹⁰ UNEP/CHW.15/INF/29–UNEP/FAO/RC/COP.10/INF/17–UNEP/POPS/COP.10/INF/29.

¹¹ UNEP/CHW.16/INF/38–UNEP/FAO/RC/COP.11/INF/21–UNEP/POPS/COP.11/INF/43.