

Briefing note on cooperation between the United Nations Environment Assembly, the United Nations Environment Programme and the Basel, Rotterdam and Stockholm Conventions

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 possible resolutions on *Fostering national action to address global environmental challenges through increased cooperation between UNEA, UNEP and MEAs* and on *Promoting synergistic approaches to address the interlinked global crises of climate change, biodiversity loss and pollution and support sustainable development*.

I. Background

2. Multilateral environmental agreements (MEAs) are international instruments that set out rights and obligations for the Parties that have expressed consent to be bound by them.

3. The MEAs are governed by a governing body (usually the Conference of the Parties, or equivalent). Within its areas of competence, the MEA governing body has ultimate decision-making power and is independent from other United Nations governing bodies such as the United Nations General Assembly or UNEA. The governing body has the authority to keep under continuous review and evaluation the effective implementation of the MEA. The governing body decides on cooperation with other bodies, including invitations to UNEP and its Executive Director to cooperate in the delivery of activities supportive of Parties' implementation of the MEA, and including requests to the Secretariat to enhance cooperation with other MEAs on issues of common interest. Decisions/resolutions of UNEA and decisions of the MEA governing bodies are procedurally and legally independent, although they may strive to mutually reinforce each other.

4. The Basel, Rotterdam and Stockholm Conventions are among the fifteen MEAs administered by UNEP. UNEP provides administrative services to the BRS secretariat, in accordance with the decisions of the BRS COPs and UN rules and regulations. At their 2019 meetings, each Conference of the Parties adopted a memorandum of understanding with the Executive Director of UNEP¹ (and with the Director General of Food and Agriculture Organization of the United Nations for the Rotterdam Convention) concerning the arrangements for the provision of secretariat functions for the respective convention. The memorandum of understanding covers, among other areas, the following: staffing, delegation of authority, administrative and programme support costs, financial matters and budgets, performance evaluation and management review. It also includes a section on programmatic cooperation.

5. In order to take into account the legal autonomy of the MEAs and to promote coherency between the work undertaken by UNEP and the decisions of the governing body, all requests to UNEP related to the MEAs should be in line with the texts of the MEAs and the decisions adopted by the governing of the MEA, and undertaken in cooperation with the MEA secretariats.

II. Calls for programmatic cooperation with UNEP and with other MEAs

6. Over the years, the conferences of the Parties to the Basel, Rotterdam and Stockholm conventions have adopted decisions welcoming relevant UNEA resolutions and requesting the Secretariat to contribute to their implementation as well as to the implementation of other UNEP processes, as appropriate. Those decisions have also invited UNEP to engage in specific activities in support of the objectives of the conventions, for instance on technical assistance or capacity-building, or on specific programmatic areas (e.g. on DDT, PCB, national implementation plans, global monitoring plan). They have also called for cooperation between the Secretariat or UNEP with other initiatives or processes.

7. As a general rule, the invitations formulated to UNEP to support implementation of the MEAs also encourage UNEP to do so in full observance of the text of the conventions and the

¹ Decisions BC-14/26, RC-9/16 and SC-9/24.

decisions adopted by the governing bodies so as to ensure coherency and mutual supportiveness.

8. By way of background, at their 2023 meetings, the conferences of the Parties adopted 24 decisions inviting UNEP to cooperate with the Basel, Rotterdam and Stockholm conventions, as set out in annex to the present briefing note.

9. In decisions BC-16/17, RC-11/6 and SC-11/13, on technical assistance, the conferences of the Parties encouraged, among others, the United Nations Environment Programme and the Special Programme to support institutional strengthening at the national level for implementation of the Basel, Rotterdam and Stockholm conventions, the Minamata Convention on Mercury and the Strategic Approach to International Chemicals Management, according to their mandates and the priorities that have been established, to continue to support the technical assistance plan for the implementation of the Basel, Rotterdam and Stockholm conventions for the period 2022–2025.

10. In paragraphs 7, 9 and 11 of the 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 its request to the Executive Secretary to cooperate with the Executive Director of UNEP in fostering the implementation of UNEA resolutions that were relevant to the Basel, Rotterdam and Stockholm conventions; welcomed programmatic cooperation between the Secretariat and UNEP on areas of mutual interest and requested the Secretariat to continue such programmatic cooperation efforts.

11. In addition, with regard to cooperation with other MEAs, the conferences of the Parties to the Basel, Rotterdam and Stockholm conventions have adopted the following decisions:

(a) Decisions BC-16/21, RC-11/8, SC-11/20, on cooperation and coordination with the Minamata Convention on Mercury, in which the Executive Secretary of the Basel, Rotterdam and Stockholm conventions is requested to continue to cooperate with the secretariat of the Minamata Convention on relevant matters;

(b) Decisions BC-16/22, RC-11/9, SC-11/21, on international cooperation and coordination with other organizations, in their respective paragraphs 20 and 29, in which the Secretariat of the Basel, Rotterdam and Stockholm conventions is requested to enhance its cooperation, respectively, with the secretariat of the Montreal Protocol and the secretariat of United Nations Framework on Climate Change on issues of common interest.

III. Ongoing cooperation

12. 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.

13. Cooperation has taken place through the participation of UNEP and the Secretariat as observers in meetings of the respective governing bodies, on a bilateral basis and through the use of coordination mechanisms such as the UNEP senior management team; the joint task force on programmatic cooperation on chemicals and waste between the secretariats of the Basel, Rotterdam and Stockholm conventions and of the Minamata Convention on Mercury and the Chemicals and Health Branch of UNEP; and the multilateral environmental agreement focal points network between the UNEP Law Division and multilateral environmental agreements whose secretariat functions are administered by UNEP.

14. With regard to the implementation of resolutions, the Secretariat has engaged, more specifically, in 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.

15. 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 2022–2025.² 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.

16. Concerning the participation of UNEP in the meetings of the conferences of the Parties, 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 at their 2023 meetings.³ The reports prepared by the Executive Director of UNEP to the sixth session of UNEA on the implementation of past UNEA resolutions reflect cooperation with MEAs, including the Secretariat of the Basel, Rotterdam and Stockholm conventions, as appropriate.

² UNEP/CHW.15/INF/29–UNEP/FAO/RC/COP.10/INF/17–UNEP/POPS/COP.10/INF/29.

³ UNEP/CHW.16/INF/38–UNEP/FAO/RC/COP.11/INF/21–UNEP/POPS/COP.11/INF/43.

Annex

Decisions adopted by the conferences of the Parties to the Basel, Rotterdam and Stockholm conventions at their 2023 meetings which refer to cooperation with the United Nations Environment Assembly and/or the United Nations Environment Programme

Decisions are grouped according to which convention(s) they relate to.

1. Substantially identical and harmonized decisions related to the Basel, Rotterdam and Stockholm conventions
 - (a) BC-16/17, RC-11/6, SC-11/13: Technical assistance
 - (b) BC-16/21, RC-11/8, SC-11/20: Cooperation and coordination with the Minamata Convention on Mercury
 - (c) BC-16/22, RC-11/9, SC-11/21: International cooperation and coordination with other organizations
 - (d) BC-16/25, RC-11/12, SC-11/24: From science to action
 - (e) BC-16/28: Programme of work and budget for the biennium 2024–2025 of the Basel Convention
 - (f) RC-11/15: Programme of work and budget for the biennium 2024–2025 of the Rotterdam Convention
 - (g) SC-11/27: Programme of work and budget for the Stockholm Convention for the biennium 2024–2025
2. Decisions specific to the Basel Convention
 - (a) BC-16/14: Committee Administering the Mechanism for Promoting Implementation and Compliance
 - (b) BC-16/27: Amendments to the memorandum of understanding between the Executive Director of the United Nations Environment Programme and the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal
3. Decisions specific to the Rotterdam Convention
 - (a) RC-11/14: Amendments to the memorandum of understanding between the Director-General of the Food and Agriculture Organization of the United Nations, the Executive Director of the United Nations Environment Programme and the Conference of the Parties to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade
4. Decisions specific to the Stockholm Convention
 - (a) SC-11/2: DDT
 - (b) SC-11/3: Polychlorinated biphenyls
 - (c) SC-11/7: Implementation plans
 - (d) SC-11/8: Operation of the Persistent Organic Pollutants Review Committee
 - (e) SC-11/18: Global monitoring plan for effectiveness evaluation
 - (f) SC-11/26: Amendments to the memorandum of understanding between the Executive Director of the United Nations Environment Programme and the Conference of the Parties to the Stockholm Convention on Persistent Organic Pollutants
