

BRS CONVENTIONS COPS HIGHLIGHTS: TUESDAY, 25 APRIL 2017

The BRS Conventions COPs continued Tuesday. Meeting jointly in the morning and early afternoon, the COPs discussed the remaining items and established several contact groups. SC COP8 met in the afternoon, discussing the rules of procedure, listing of chemicals and the effectiveness evaluation. The joint contact groups for technical assistance and financial resources, and synergies and joint issues met throughout the day. In the evening, contact groups on SC compliance, SC listing of chemicals, and scientific and technical matters convened.

JOINT SESSIONS OF THE BRS COPS

ENHANCING COOPERATION AND COORDINATION AMONG THE BRS CONVENTIONS: Gender: RC COP8 President Perrez introduced the decision, as amended by the EU (BC CRP.9; SC and RC CRP.2). COLOMBIA proposed amendments. PAKISTAN called for further discussion. IPEN highlighted the disproportionate impact of chemicals on women and called for gender mainstreaming at all levels and stages of decision-making.

The contact group on synergies and joint issues was tasked with revising the draft decision.

OTHER MATTERS: Draft MOUs: The Secretariat presented the documents (CHW.13/27, INF/56, RC/COP.8/26, INF/46, POPS/COP.8/30, INF/59), noting further analysis may be warranted and requesting the BRS Executive Secretary to prepare proposals for the consideration of the next COPs. The EU recalled that the COPs decided in 2015 to prepare these MOUs.

This issue was forwarded to the contact group on synergies and joint issues.

COMPLIANCE: BC compliance: BC COP13 President Khashashneh introduced the documents (CHW.13/9 and Add/1,2, CHW.13/INF/24-28, 59). Juan Simonelli, Chair of the Implementation and Compliance Committee (ICC) reported on the ICC's work on specific submissions and its general review mandate.

EGYPT, YEMEN, LIBYA and KENYA underlined the need for technical and financial support for reporting.

CANADA called for discussion of issues including the electronic notification system, amending the terms of reference, and recommendations for the work programme. The EU called for the ICC to focus on activities within its mandate and capacity as a subsidiary body.

SWITZERLAND observed the value of different triggers.

PAKISTAN expressed concern that the reporting system is not being implemented properly and opposed a "name and shame" system. INDIA emphasized that compliance mechanisms must be collaborative and create capacity.

BAN noted that Canada has worked to close the legal gap allowing illegal transfer of household wastes to other countries. The CENTER FOR INTERNATIONAL ENVIRONMENTAL LAW (CIEL) noted that the Secretariat has yet to use the expanded Secretariat trigger.

A contact group on BC compliance and legal matters was established.

RC compliance: RC COP8 President Perrez suggested adopting the draft decision developed at COP7 (RC/COP.8/18). IRAN called for a compliance mechanism that is supportive, non-confrontational and transparent. He said the text needs discussion to "clean it completely." INDIA opposed adoption. BRAZIL suggested only a self-referral trigger. South Africa, for the AFRICAN GROUP, BRAZIL and YEMEN, underlined the need for means of implementation.

The EU, AUSTRALIA, CANADA, NEW ZEALAND, NORWAY, SWITZERLAND called for adoption and opposed establishing a contact group, with SWITZERLAND citing compromises made at COP7. CHILE said only bracketed text should be open for discussion.

Parties could not agree on establishing a Friends of the President group. Discussions were suspended until the RC COP convenes next week.

SC compliance: SC COP8 President Adu-Kumi noted that the text from either COP6 or COP7 could serve as the basis of discussions and proposed establishing a Friends of the President group (SC/COP.8/23). Several parties supported this proposal. IRAN preferred a contact group, citing the "undesirable results" of COP7.

Delegates agreed to establish a time-limited SC compliance contact group.

PROGRAMME OF WORK AND BUDGET: The Secretariat introduced the documents (CHW.13/26, and INF/51, 52, 53/Rev.2, 55, 58; RC/COP.8/25, and INF/36, 37, 38/Rev.1, 43, 48, 51; and POPS/COP.8/29, and INF/53, 54, 55/Rev.2, 57, 62). He highlighted the zero nominal growth and the Executive Secretary budget scenarios, and drew attention to the unsustainable level of contributions in arrears. Delegates agreed to establish a contact group on programme of work and budget.

VENUE AND DATE OF NEXT COPS: Delegates adopted the same decision as previous COPs without discussion, noting there will be no high-level segment.

STOCKHOLM COP8

RULES OF PROCEDURE: President Adu-Kumi introduced the document (UNEP/POPS/COP.8/3). The COP agreed not to take a formal decision on this matter and to continue consensus-based decision-making.

LISTING OF CHEMICALS: The Secretariat introduced the documents (UNEP/POPS/COP.8/12 and INF/60). Vice-Chair of the Persistent Organic Pollutants Committee (POPRC) Zaigham Abbas (Pakistan) reported on the POPRC's recommendations and work on chemicals under review.

The EU suggested amending the draft decision to invite the POPRC to strengthen the involvement of BC experts and request the Secretariat to facilitate their involvement. NORWAY proposed text inviting parties and others to provide information on waste and disposal issues.

President Adu-Kumi asked the Secretariat to make the amendments. The SC COP will return to the issue.

Decabromodiphenyl ether (decaBDE): The Secretariat introduced the documents (UNEP/POPS/COP.8/13 and INF/21).

AUSTRALIA, the EU, THAILAND, BELARUS, ECUADOR, BRAZIL, and the US supported listing decaBDE in Annex A, with specific exemptions for legacy automobiles and the aerospace industry. Kenya, for the AFRICAN GROUP, supported listing with specific exemptions for the automotive industry.

CHILE, CANADA and the US, called for a specific exemption for recycling. THE RUSSIAN FEDERATION, with KAZAKHSTAN, supported listing, and called on the Secretariat to prepare a register for products containing decaBDE. INDIA and URUGUAY welcomed the proposal, calling for further discussions in a contact group. Welcoming listing, SWITZERLAND suggested a brief transition period from decaBDE use to alternatives. TURKEY, opposed by NORWAY, called for a specific exemption for the textile industry. ECUADOR called for technical assistance to identify the substance.

IPEN opposed specific exemptions for automobiles and recycling, saying that the latter is “the same as legitimizing e-waste dumping in developing countries.” BAN said that the recycling proposal is contradictory to the SC’s intent. Highlighting impacts on indigenous peoples, INTERNATIONAL INDIAN TREATY COUNCIL (IITC) called listing decaBDE without a recycling exemption is critical to the health of all peoples.

A contact group on listing of chemicals was established.

Short-Chained Chlorinated Paraffins (SCCPs): The Secretariat introduced the documents (UNEP/POPS/COP.8/14 and INF/21).

ARGENTINA, supported by CHILE, stressed the need for support and called for exemptions for the rubber industry. THAILAND suggested specific exemptions for the automotive industry. CHINA proposed specific exemptions for lubricants and outdoor lightbulbs.

NORWAY and SWITZERLAND supported listing of SCCPs in Annex A without exemptions. SERBIA and the EU supported listing in Annex A. Kenya, on behalf of the AFRICAN GROUP, said it could not support the decision unless brackets around specific exemptions were removed. IRAN and IRAQ opposed listing.

THE RUSSIAN FEDERATION, supported by INDIA and KAZAKHSTAN, questioned whether SCCPs meet the criteria for bioaccumulation and long-range environmental transport (LRET), calling listing “premature.” AUSTRALIA said SCCPs “clearly meet” the listing criteria, emphasized that alternatives are available for every application, and, with JAPAN and IRAQ, sought clarity on the chemical identity.

The US supported listing, suggesting control measures for SCCP production. ALASKA COMMUNITY ACTION ON TOXICS (ACAT) and IPEN supported the proposed listing with no exemptions.

Discussions were forwarded to the listing contact group.

Hexachlorobutadiene (HCBd): The Secretariat introduced the documents (POPS/COP.8/15 and INF/21). The EU, THAILAND, NORWAY, AUSTRALIA, PERU, JAPAN, GABON, SERBIA, BRAZIL, Nigeria, for the AFRICAN GROUP, and IPEN supported listing HCBd in Annex C. JAPAN called for additional information to be collected on sources of unintentional releases.

INDONESIA opposed listing, citing insufficient data on unintentional releases. CHINA called for caution on listing in Annex C, noting cost implications. EGYPT called for financial sources for monitoring, especially the manufacture of PVC and petrochemicals.

Discussions were forwarded to the listing contact group.

EFFECTIVENESS EVALUATION: The Secretariat introduced the documents (POPS/COP.8/21, 22 and Adds.1). Ramon Guardans, Chair of the GMP, presented its outcomes. Anne Daniel, Chair of the Effectiveness Evaluation Committee, Linroy Christian, Vice Chair, presented on the progress of the SC Effectiveness Evaluation Committee, highlighting, *inter alia*, the limited data available from national data sources and National Implementation Plans (NIPs).

CONTACT GROUPS

TECHNICAL ASSISTANCE AND FINANCIAL RESOURCES: Leticia de Carvalho, Brazil, and Niko Urho, Finland, co-chaired. On BC Regional Centres (BCRCs), delegates discussed *inter alia* the redesignation of institutions serving as BC regional centres and the differentiation between centres’ and the Secretariat’s reports on regional centres’ activities.

On SC Regional Centres (SCRCs), one developing country proposed, supported by others, inviting the Secretariat and the regional centres to compile information, report on activities and propose recommendations related to marine litter prevention measures. Delegates agreed to consider the proposal later, with the understanding that language on marine litter would also be included in the BCRC draft decision.

On the implementation of decision V/32 on the enlargement of the scope of the Trust Fund, delegates discussed support in the event of an emergency and inclusion of the relevant decision text within an omnibus decision on technical assistance. On the financial mechanism for the SC, the group discussed several suggestions reflecting issues in the implementation of projects funded by the financial mechanism as well as the need for regular consolidation and updating of guidance provided by the COP to the financial mechanism.

SYNERGIES AND JOINT ISSUES: Jane Stratford, UK, and Nguyen Anh Tuan, Vietnam, co-chaired. On gender mainstreaming, delegates agreed to amendments on the draft decision, requesting the Secretariat to continue to report on the implementation of the Gender Action Plan, and to update the Plan with indicators for monitoring progress. Regarding the review of synergies arrangements, discussions centered around the preamble with some developing countries preferring reflection of the flexibility of parties to adopt activities at the national level in accordance with national circumstances and priorities.

Delegates discussed the proposals by the African Group (CHW.13/CRP.10; RC/COP.8/CRP.3; POPS/COP.8/CRP.3) to prepare for integrating the Minamata Convention Secretariat into the BRS Secretariat. Several participants characterized the idea as “premature” while others highlighted possible efficiency and effectiveness benefits, and the Co-Chairs agreed to prepare a text. On the draft decision on international cooperation and coordination, delegates agreed on text regarding integrating chemicals and wastes management into the 2030 Agenda, and cooperation and coordination with UNEP in fostering the implementation of UNEA resolutions.

IN THE CORRIDORS

The gloomy weather seemed to pervade the CIGG as some expressed a sense of frustration even as the pace picked up on Tuesday. Participants with a broad spectrum of interests seemed to share an air of cynicism, wondering about the value of all the work of the TripleCOPs, especially given the results of the effectiveness evaluation, which one characterized as “disheartening.”

The now usual challenges of TripleCOPs of simultaneous contact groups and structure as well as pace, spurred lively conversation. Some appreciated the quick, to-the-point plenary interventions, which another participant called “great, until you require interventions to be so short that they are meaningless.” Another characterized the challenge of limited time to contribute in plenary as “another downside” to the “exhausting” TripleCOPs, and wondered how long this arrangement will last. This dichotomy became more relevant as the synergies contact group – which one participant characterized as a “bright spot of constructive spirit” – discussed the potential integration of the Minamata Convention.