

## BRS Conventions COPs Highlights: Monday, 29 April 2019

The fourteenth meeting of the Conference of the Parties (COP) to the Basel Convention (BC COP14), the ninth meeting of the COP to the Rotterdam Convention (RC COP9), and the ninth meeting of the COP to the Stockholm Convention (SC COP9) opened in Geneva, Switzerland. Meeting jointly in plenary throughout the day, the Basel, Rotterdam, and Stockholm (BRS) COPs adopted their respective agendas and organization of work in the morning. Delegates considered technical assistance, and financial resources and mechanisms. SC COP9 then convened to address issues related to the listing of chemicals, and adopted a decision on dicofol.

### Joint Sessions of the COPs

#### Opening of the Meetings

Marc Chardonens, Director, Federal Office for the Environment, Switzerland, called on delegates to: adopt a compliance mechanism under the RC; address electrical and electronic waste (e-waste) and marine plastic waste; and ratify the Ban Amendment to the BC.

Via video message, Joyce Msuya, Acting Executive Director, UN Environment Programme (UNEP), called on delegates to ramp up their efforts to address the full lifecycle of chemicals and waste.

Rolph Payet, Executive Secretary, BRS Conventions, called on donors to support the elimination of polychlorinated biphenyls (PCBs) in equipment by 2025 and liquid containing PCBs by 2028, and urged delegates to deliver action on e-waste and marine plastics.

Hans Dreyer, Executive Secretary of the RC, Food and Agriculture Organization of the UN (FAO), stressed the importance of addressing hazardous pesticides in order to meet the Sustainable Development Goals, and drew attention to the forthcoming UN International Year of Plant Health.

Mohammed Khashashneh (Jordan), SC COP 9 President, welcomed delegates on behalf of Osvaldo Álvarez-Pérez (Chile), RC COP9 President, and Abraham Zivayi Matiza (Zimbabwe), BC COP14 President. Khashashneh previewed the work ahead and synergies among the Conventions, stressing the need for additional efforts to safeguard human health and the environment.

Each of the COP Presidents then opened his respective meetings.

**Opening statements:** Gabon, for the AFRICAN GROUP, called for prioritizing technical assistance and financial resources to support effective implementation. For the BC, he supported the establishment of a partnership on plastic wastes and marine litter, and highlighted the e-waste technical guidelines. For the RC, he called for progress on establishing a compliance mechanism. Noting proposed amendments to all Conventions, he emphasized that amendments must not change their basic principles.

Serbia, for CENTRAL AND EASTERN EUROPE (CEE), emphasized the need to secure implementation and recognized the importance of compliance. She said that the 30<sup>th</sup> anniversary of the

Basel Convention constitutes an opportunity to discuss unresolved issues and noted the need for financial and technical assistance for the Ban Amendment to enter in force.

Iran, on behalf of the ASIA-PACIFIC REGION, called on parties to fulfil the principle of common but differentiated responsibilities.

Bolivia, for the LATIN AMERICAN AND CARIBBEAN GROUP (GRULAC), highlighted the importance of addressing environmentally-sound management of chemicals and all wastes, including marine litter, as well as strengthening monitoring.

The EU emphasized that multilateral solutions are more important than ever and stressed that listing substances in the RC has no impact on trade.

#### Organizational Matters

**Adoption of the Agenda:** BC COP14 President Zivayi Matiza, RC COP9 President Álvarez-Pérez and SC COP9 President Khashashneh introduced their respective agendas (CHW.14/1; RC/COP.9/1 and Add. 1; POPS/COP.9/1 and Add.1). All three agendas were adopted without amendment.

**Organization of Work:** BC COP President Zivayi Matiza clarified that delegates would engage in initial discussions of compliance during the joint sessions but would decide on procedural and substantive matters at Convention-specific meetings. He also noted that a potential contact group on marine plastic litter and microplastics would run through the second week of the meeting.

**Election of Officers:** The Secretariat introduced the documents (CHW.14/2,13, INF/3; RC/COP.9/2, INF/3; and POPS/COP.9/2, INF/3), noting that the next BC COP President would be from GRULAC, RC COP President from the African Group, and SC COP President from CEE. The agenda item was suspended and will be taken up by each COP later in the meeting.

**Credentials:** The Secretariat introduced the documents (CHW.14/1/Add.1, INF/4; RC/COP.9/1/Add.1, INF/5; and POPS/COP.9/1/Add.1, INF/5). BC President Zivayi Matiza welcomed new parties Vanuatu (BC, RC), Palestine (RC, SC), and Turkey (RC).

#### Matters Related to Implementation of the Conventions

**Technical Assistance:** The Secretariat introduced the documents (CHW.14/16, 17; RC/COP.9/15; POPS/COP.9/16, 17) and reported on its technical assistance activities (CHW.14/INF/25/Rev.1; RC/COP.9/INF/24/Rev.1; POPS/COP.9/INF/25/Rev.1). BC President Zivayi Matiza identified the main issues as: the technical assistance plan for delivery of assistance under the Conventions (CHW.14/INF/27); RC/COP.9/INF/26; POPS/COP.9/INF/26; the implementation of the BC emergency trust fund (CHW.14/INF/56); and the BC and SC regional centres (CHW.14/INF/28/Rev.1, INF/29, Add.1; POPS/COP.9/INF/27/Rev.1, INF/28, Add.1).

Georgia, for CEE, noted the value of the procedure for requesting technical assistance. CHINA and IRAQ noted, respectively, the efforts of FAO regional offices, as well as UNEP and UNDP for technical assistance.

SOUTH AFRICA underscored the importance of ensuring that technical assistance is sufficient to facilitate compliance. The EU said that technical assistance activities should follow the mandates established in COP decisions.

On regional centres, many developing countries underscored their value, citing examples of support such as staff training, strengthening legal frameworks, and eliminating PCB stockpiles. Many developing countries also called for further strengthening of the regional centres, with SOUTH AFRICA urging provision of sufficient financial resources, and IRAN underscoring the need for strengthening cooperation and coordination among regional centres.

On the monitoring and evaluation strategy, the EU noted there was no mandate for its development. THAILAND supported the strategy.

The International POPs Elimination Network (IPEN) called for technical assistance to support non-combustion technologies to eliminate stockpiles of persistent organic pollutants (POPs) and suggested that regional centres would benefit from involving civil society organizations in their projects.

Parties established a contact group, co-chaired by Reginald Hernaus (the Netherlands) and David Kapindula (Zambia) to discuss technical assistance and regional centres. The COPs took note of the information provided on the implementation of the emergency fund.

**Financial Resources:** The Secretariat introduced the documents (POPS/COP.9/18, INF/30-34, 52, 56; CHW.14/INF/34, 35; RC/COP.9/INF/27, 28).

On the SC financial mechanism, the GLOBAL ENVIRONMENT FACILITY (GEF) reported on its activities from 2016 to 2018 totaling US\$139.81 million and leveraging US\$1.43 billion in co-financing. She reported that the GEF7 period notionally allocates 15% of resources for chemicals and wastes.

The EU, with several others, welcomed the draft terms of reference for the review of the financial mechanism.

THAILAND reported on national implementation measures supported by the GEF. EGYPT expressed concern over the GEF's 1:11 co-financing ratio. The AFRICAN GROUP and CHINA called for adequate, predictable, and sustainable funding for SC implementation. THAILAND, the AFRICAN GROUP, PALESTINE, BANGLADESH, and others called for further financial assistance to address newly listed POPs.

IRAN, PALESTINE, the RUSSIAN FEDERATION, and SYRIA underlined that the GEF should not politicize access to financial resources for implementing multilateral environmental agreements.

The US stressed that the GEF guidance should not divert SC funding to marine litter.

IPEN noted a UNEP evaluation of the approach to financing chemicals and waste that recommended, *inter alia*, allocating development finance to address chemicals and waste and instituting cost recovery measures from POPs producers.

## Stockholm Convention COP9

### Listing of Chemicals

**Dicofol:** The Secretariat introduced the draft decision and comments received on the POPs Review Committee (POPRC) recommendation to list dicofol in Annex A (POPS/COP.9/13, INF/23).

The AFRICAN GROUP, THAILAND, EGYPT, BELARUS, the EU, SWITZERLAND, IRAQ, the PHILIPPINES, NIGERIA, NORWAY, GHANA, TANZANIA, SYRIA, and the observers TOXICS LINK and THANAL supported listing dicofol in Annex A without exemption. CHINA supported listing "in principle," but clarified the timing of China's phase out of production. INDIA supported the inclusion and announced it will stop the production of dicofol in the next few months.

COP9 adopted the decision to list dicofol in Annex A without exemption.

**PFOA:** The Secretariat introduced the POPRC's recommendation and comments received (POPS/COP.9/14, INF/23).

GRULAC, the EU, the AFRICAN GROUP, THAILAND, SWITZERLAND, NEW ZEALAND, AUSTRALIA, NORWAY, CHINA, CANADA, BRAZIL, and the US supported Annex A listing with specific exemptions, while ALASKA COMMUNITY ACTION ON TOXICS, and the UNITED FIREFIGHTERS UNION OF AUSTRALIA called for listing without exemptions.

GRULAC, GHANA, LIBERIA, EGYPT, and PALAU expressed concern over uncertainty related to PFOA in firefighting foams.

The RUSSIAN FEDERATION supported listing and noted the need for further scientific research on the harmful qualities of PFOA.

JAPAN and CHINA called for further discussions to identify specific PFOA-related compounds.

IPEN underlined that there is a moral and socioeconomic imperative to listing PFOA in Annex A without exemptions given the long-term harm and clean-up costs.

INUIT CIRCUMPOLAR COUNCIL underscored the impact of perfluorinated chemicals in the Arctic, including in biota that many Inuit rely on for traditional country foods and urged PFOA is listed in Annex A without exemptions.

SEMI-EUROPE noted the use of PFOA in semi-conductors and looked forward to discussions in the contact group.

Parties agreed to establish a contact group on listing chemicals in the SC, co-chaired by Maria Delvin (Sweden) and Agus Haryono (Indonesia) to consider the draft decision on PFOA, clarify the related compounds, and consider specific exemptions. Parties agreed the contact group could develop a supplementary draft decision if further work is identified.

**POPRC Developments:** The Secretariat introduced the documents (POPS/COP.9/12 and INF/3) and reported on its efforts related to effective participation.

Parties adopted the decision on POPRC membership (POPS/COP.9/12) with the option for the POPRC to identify an interim chair to be elected at COP10, and on the understanding that the names of the elected experts will be included in the Annex once they are identified.

**Proposal to Amend Article 8 (Listing of Chemicals) and Annex D (POPs Information Requirements and Screening Criteria):** The Secretariat introduced the proposal by the Russian Federation (POPS/COP.9/15) and related comments (INF/24).

The RUSSIAN FEDERATION suggested that several listed substances had insufficient scientific data, such as short-chain chlorinated paraffins. Noting a lack of consensus, he suggested that the COP task the POPRC with developing guidelines on the use of the precautionary principle. IRAN supported this suggestion.

COLOMBIA, the EU, the AFRICAN GROUP, and DOMINICAN REPUBLIC supported the precautionary principle and Annex D as in the Convention.

SC COP President Khashashneh suspended the discussion until Tuesday afternoon.

### In the Corridors

A record number of 1700 delegates, including several NGOs new to the processes, arrived for the first day of the BRS COPs. Some hailed the engagement of new stakeholders as a sign of the continued relevance of these treaties, others pointed to the work done by POPRC and other bodies to encourage the participation of a wider range of stakeholders, and still others thought many were perhaps here for the "hot topic" of marine plastics.

At the outset of the meeting, participants eagerly talked about their priorities for what one delegate described as a "jam-packed" programme of work. Several pointed to the RC compliance mechanism and listing PFOA in the SC as particularly tricky, with some warning that technical assistance "underwrites" these issues. Several hoped that the rapid decision to list dicofol for elimination in the SC was a positive sign of things to come.