

BRS Conventions COPs Highlights: Tuesday, 2 May 2023

The COPs addressed several issues of concern across the Conventions, from technical assistance to compliance. The Stockholm Convention (SC) took up various issues, including the effectiveness evaluation, on which it adopted a decision. Contact groups met to discuss the listing of chemicals under the SC, technical matters under the Basel Convention (BC), and technical assistance and financial resources.

Joint Sessions of the COPs

Technical Assistance and Financial Resources: The Secretariat introduced the technical assistance and capacity-building documents (CHW.16/17, INF/28; RC/COP.11/15, INF/17; POPS/COP.11/15, INF/25) and the reports related to the regional centres (CHW.16/18, INF/29, 30; POPS/COP.11/16, INF/26, 27).

The Secretariat presented its report on implementing the technical assistance plan for 2022–2025 and the biennium 2022–2023. In 2022, the Secretariat reported 120 technical assistance activities, of which 52 were projects, 21 were face-to-face training workshops organized in a hybrid format, and 47 were online training activities. She reported that 10,046 persons were trained, with an approximately 50:50 gender balance.

Countries commended the report and encouraged further work on strengthening the role of BC Regional Centres (BCRCs) and SC Regional Centres (SCRCs) in responding to specific country needs and strengthening collaborations.

Developing countries recognized the technical support and capacity building from the Global Environment Facility (GEF), regional centres, and other development partners in implementing the BRS Conventions in their countries. They called for strengthened regional centres and increased technical assistance and financial support for developing countries.

Many developing countries highlighted specific needs to help implement the BRS Conventions, including certifying and strengthening laboratory capacity, managing highly hazardous pesticides, implementing the e-waste amendment and technical guidelines, providing import responses under the Conventions, disposing of polychlorinated biphenyl (PCB) stockpiles, and identifying and disposing persistent organic pollutants (POPs) wastes, among many others.

TRINIDAD AND TOBAGO called for the BCRC in the Caribbean to become an SCRC, supported by the EU, GRULAC, ANTIGUA AND BARBUDA, SURINAME, SAINT KITTS AND NEVIS, SAINT LUCIA, and CHILE.

The FAO reported on activities, including on gender and pesticides, import response notifications, and pesticide exposure.

The BCRC CARIBBEAN thanked parties for their support in endorsing the centre as an SCRC, noting it had leveraged USD 23 million to support BRS implementation.

The RUSSIAN FEDERATION SCRC reported on its activities to analyze POPs and support countries in the region.

A technical assistance and financial resources contact group was established, co-chaired by David Kapindula (Zambia) and Toks Akinseye (the UK).

Compliance: The Secretariat introduced the BC Implementation and Compliance Committee (ICC) documents (CHW.16/13, INF/20-25). Florisvindo Furtado, BC ICC Chair, relayed national reporting rates: for 2018, 58% of parties submitted national reports, 20% were complete and on time. For 2019, he said that 50% of parties submitted national reports, 25% were complete and on time. On illegal traffic, he noted a questionnaire to improve coordination between competent authorities and enforcement entities.

The Secretariat introduced the Rotterdam Convention (RC) compliance procedures and mechanisms and RC Compliance Committee membership (RC/COP.11/14, INF/16). Osvaldo Álvarez-Pérez, RC Compliance Committee Chair, reported from the Committee's first year of work. He relayed substantive progress, such as identifying designated national authorities and systematic issues of interest to all parties. He encouraged all countries to consider a submission to the Committee so it can explore its means to assist.

The Secretariat introduced the documents related to the SC (POPS/COP.11/21).

Consideration of these agenda items was suspended until consideration by the individual COPs.

Programme of Work and Budget: The Secretariat introduced the documents (CHW/COP.16/27, INF/45-48, 54; RC/COP.11/22, INF/29-32, 40; POPS/COP.11/28, INF/50-52, 18, 58). BRS Executive Secretary Rolph Payet noted that providing a scenario for zero nominal growth is becoming increasingly difficult without significantly reducing BRS Secretariat operations and services. On arrears, he said the number of parties and the overall amount has increased.

SWITZERLAND and NORWAY supported discussions based on the Executive Secretary's scenario, noting the cuts across all services, including translation, required by a zero nominal growth budget.

The EU supported the increase in the general trust fund activities and suggested using savings in the budget of each Convention for activities in its next biennium. With NORWAY, she noted that UNEP should cover some costs under the memorandum of understanding (MoU).

COLOMBIA, INDONESIA, and IRAN supported the zero nominal growth budget scenario, citing the financial difficulties of many countries and called for additional efforts on cost recovery and payment of arrears.

Sierra Leone, for the AFRICAN REGION, supported the Executive Secretary's scenario. He called for increasing the duration of the CRC meetings to address the backlog of final regulatory actions and for document translation to be retained in the core budget. SOUTH AFRICA suggested there could be some refinements to the Executive Secretary's scenario.

The FAO reported that it provides substantial support and noted the benefits of its global presence.

A contact group on the Programme of Work and Budget was established, co-chaired by Osvaldo Álvarez-Pérez (Chile) and Přemysl Štěpánek (Czech Republic).

Implementation of the MoU between UNEP and COPs and FAO for RC: The Secretariat introduced the documents (CHW.16/28, INF/49, 53; RC/COP.11/23, INF/33, 34, 39; POPS/COP.11/29, INF/53, 57). UNEP introduced the proposed amendments to the MoU to clarify the provision of administration services to the BRS Conventions and UNEP's share of programme costs with the BRS Secretariat.

The EU questioned the retroactive use of budgetary savings from the previous biennium and welcomed further discussions.

Sierra Leone, for the AFRICAN Group, supported the adoption of the draft decision.

The matter was referred for further consideration by the budget committee.

Stockholm Convention

Measures to reduce or eliminate releases from intentional production and use: Exemptions: The Secretariat presented the relevant documentation (POPS/COP.11/4, INF/7), noting the number of parties currently registering specific exemptions for POPs.

CHINA presented national progress. The EU and CANADA suggested minor editorial changes to the decision. JAPAN voiced support for the draft decision, while IPEN cautioned that a "lack of alternatives" is sometimes used as an excuse to justify registering exemptions.

The draft decision was adopted with minor amendments pending confirmation from the budget group.

DDT: The Secretariat presented the relevant documentation (POPS/COP.11/5, INF/8 and 10). UNEP presented its report on the implementation of the road map for the development of alternatives to DDT. Delegates provided their national perspectives on DDT's use, phase-out and the alternatives' effectiveness. Several parties celebrated being "DDT-free" while others called for more support.

The draft decision was adopted with minor amendments pending confirmation from the budget group.

Perfluorooctane sulfonic acid (PFOS), its salts and perfluorooctane sulfonyl fluoride (PFOSF): The Secretariat presented the relevant documentation (POPS/COP.11/7; INF/15). The EU noted the phase-out of the chemical could be further accelerated and called for parties to submit information on use for leaf-cutting control and in fire-fighting foams. She drew attention to the best available techniques (BAT) and best environmental practices (BEP) guidelines and agreed to the tabled draft decision. JAPAN voiced support for the draft decision.

The RUSSIAN FEDERATION drew attention to necessary specific parameters for available alternatives, noting for instance

that alternatives to PFOS-containing fire-fighting foams cannot be kept for as long and are more costly.

CHILE noted difficulties in identifying and collating information on articles containing these substances.

IPEN called for the producers of alternatives to be encouraged, while IEE stressed that costs should not outweigh safety considerations.

The draft decision was adopted pending budget group considerations.

Listing of Chemicals: POPRC: The Secretariat introduced the relevant documents on the work of the POPRC (POPS/COP.11/11). Peter Dawson, interim Chair of the Committee, presented on the Committee's work at its last meeting and during the intersessional period. Delegates underscored the importance of participation in the work of the POPRC and of generating and sharing information. The EU suggested adding a paragraph about interpretation during POPRC meetings.

With the addition on interpretation, the draft decision was adopted, pending confirmation by the budget group and elections of officers.

Compliance: Many delegates voiced support for establishing a compliance mechanism for the SC, with several noting that they had been waiting since 2004. Others noted potential parallels with the RC, and many stressed the need for technical assistance and financial support to be able to comply with SC's growing requirements.

An observer from the US stressed that financial assistance should not be a reason for avoiding international obligations.

IEE called for a mechanism similar to the BC and RC mechanisms.

A contact group was established to start with the outstanding issues from the previous discussions, including triggers and measures to be decided by the committee, and that the committee can recommend to the COP. Tuulia Toikka (Finland) and Sam Adu-Kumi (Ghana) will co-chair the contact group.

Effectiveness Evaluation: The Secretariat introduced the documents relevant to the effectiveness evaluation and global monitoring plan (POPS/COP.11/19, Add.1, 20, Add.1, INF/36-39).

Katerina Sebkova, Global Monitoring Plan Coordination Committee, illustrated the report's conclusions, highlighting that the ability to determine the on-the-ground effectiveness of the Convention relies on international and national monitoring programmes. She also reported that POPs concentrations are declining and starting to level off, but in some cases, such as hexachlorobenzene, slight increases are likely due to secondary sources and climate change. She encouraged the continued participation of countries in monitoring activities, such as the human milk survey.

Vincent Odongo Madadi, Chair of the Effectiveness Evaluation Committee, outlined the report's conclusions, including that the Convention is an effective and dynamic framework to regulate POPs and that mechanisms and processes to support parties are in place, except compliance. While progress is evident, he reported ongoing challenges, including several reporting obligations with varying timelines, complicating the interpretation and comparison of trends. He stressed that low submission rates of national reports hamper the ability of the Committee to undertake the evaluation.

The EU suggested more visibility to the findings that the Convention is an effective framework in the decision, and for the Secretariat to communicate the achievements and make the report more broadly available with a short summary. She also suggested

removing references to technical assistance and financial resources to the relevant decisions under other agenda items.

El Salvador, for GRULAC, Sierra Leone, for the AFRICAN GROUP, PAKISTAN, URUGUAY, ZAMBIA, and other developing countries called for technical assistance and financial resources to support the implementation of the global monitoring plan. PAKISTAN requested support to establish monitoring in Southwest and Central Asia. The DEMOCRATIC REPUBLIC OF THE CONGO noted the benefits of establishing local laboratories. ETHIOPIA noted the need to work with universities.

An observer from the US applauded the work of SC parties to achieve this “incredible news” and agreed there are areas for improvement, noting that additional technical assistance and financial resources would be helpful, and should be mobilized from non-traditional donors.

UNEP reported from its project that collected data from 42 countries, which generated over 50,000 data points from 900 samples, representing a significant contribution to the global monitoring plan.

IPEN noted that the report concluded it was impossible to determine if dioxin levels are decreasing due to missing or inaccurate data or problematic methodologies.

The COP adopted the decision on the effectiveness evaluation with the amendments suggested by the EU, outlined in CRP.4, pending confirmation from the budget group.

The COP adopted the decision on the global monitoring programme, pending confirmation from the budget group.

Contact Groups

BC Technical Matters: The contact group, co-chaired by Patrick McKell (UK) and Magda Gosk (Poland) met throughout the day. Co-Chair McKell presented the technical guidelines for waste lead-acid batteries (LAB), other batteries, and POPs waste guidelines.

On the waste LAB technical guidelines, delegates completed their review, identifying areas of work for the small intersessional working group (SIWG). They debated whether “waste” and “used” LABs are the same. There are differing national definitions, and, in some countries the terms are used interchangeably. Other countries cited a distinction, and noted that the mandate for the guidelines is waste LAB. Direction was given for the SIWG to consider this issue, with one suggestion to add text clarifying the terms used in countries without changing the scope of the document.

On other waste batteries, such as lithium-containing batteries, countries reviewed the outline of the new guidelines. They provided feedback for the SIWG to consider. Some noted that the mercury technical guidelines might already address mercury batteries. Participants tasked the SIWG to consider any potential difference between used and waste batteries in the context of repair. As some noted that lithium-ion batteries are increasingly being repurposed, the issue was added.

The contact group agreed to a decision on both battery-related technical guidelines.

Much of the afternoon was spent discussing POPs waste guidelines, with considerable time spent on the table of low-POP content values that did not yield consensus. Discussions will continue Wednesday to complete the review of the POPs waste guidelines and then plastic wastes guidelines.

SC Listing: The contact group, co-chaired by Rikke Holmberg (Denmark) and Patience Nambalirwa Nsereko (Uganda), focused on Dechlorane Plus before turning to UV-328.

Delegates discussed several outstanding issues, including adding a specific extension for replacement parts for electrical and electronic equipment for long-lived home appliances. Delegates asked for a definition of such appliances. They discussed whether the proposed exemption for production was needed as China, the only producing country, is phasing out production.

On the labelling of articles containing Dechlorane Plus, they discussed the difficulty of implementing the potential labelling provision and who should be doing the labelling.

They further debated the proposed 2044 end-year for the exemption for parts for medical appliances, with some concerned that medical appliances might be discarded before their end of life if they cannot be repaired after 2044. They agreed that a review by the COP should be carried out no later than 2041 to check if Dechlorane Plus is still needed for repair parts for medical devices.

During discussions on UV-328, delegates covered the sunset dates for specific exemptions and the need to review specific exemptions for replacement parts for medical devices, along the same lines as for Dechlorane Plus. Delegates deliberated on how to define which devices are medical and which are not, and on requesting a review at the latest by 2041 for parts that are for medical purposes. They further discussed stockpiles and agreed to continue working on both chemicals on Wednesday.

Technical Assistance and Financial Resources: Co-Chairs David Kapindula (Zambia), Toks Akinseye (UK) facilitated the contact group discussions in the afternoon.

Parties completed the first reading of the report on technical assistance and capacity-building for the implementation of the Basel, Rotterdam and Stockholm conventions (BC/17-RC/15-SC/15) and made progress on textual edits. Parties deliberated on elements of the text and made specific references to differentiating capacity building and technical assistance. Some parties sought clarification on the timeline of the technical assistance plan while another requested inclusion of developing countries and economies in transition in the text.

On regional centres, the Secretariat presented a summary of the evaluation report on the performance and sustainability of the BC and SC regional centres. To date, there are 14 BCRCs and 16 SCRCs, some of them serving as bodies under both Conventions. Parties discussed the process of selecting SCRCs, the role of host countries in facilitating the centre’s work and the need for financial resources to support them.

In the Corridors

An observer invoked the movie “Everything, Everywhere, All at Once” to describe the day. Indeed, the list of issues touched on today ranged from malaria control to fire-fighting foams, batteries to medical equipment. As the SC has continued to add new chemicals over its 20-year history, the scope of products it, and in turn the BC, has to contend with has spread to touch more and more products used in our everyday lives.

Underpinning these seemingly varied issues are the governance structures to support action. The effectiveness evaluation brought what one observer called “incredible news” that POPs concentrations are declining in the environment and our bodies. Others were more cautious, pointing out the many data gaps in the monitoring network and worrying about a “sense of complacency” when PCB stockpiles remain and finance continues to “crawl behind other conventions.” But still, it’s a rare feat for a treaty to draw a line from its provisions to on-the-ground results.

