

ORDINARY AND EXTRAORDINARY MEETINGS OF THE CONFERENCES OF THE PARTIES TO THE BASEL, ROTTERDAM AND STOCKHOLM CONVENTIONS: 28 APRIL-10 MAY 2013

The eleventh meeting of the Conference of the Parties to the Basel Convention (BC COP11) on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, the sixth meeting of the Conference of the Parties to the Rotterdam Convention (RC COP6) on the Prior Informed Consent (PIC) Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, the sixth meeting of the Conference of the Parties to the Stockholm Convention (SC COP6) on Persistent Organic Pollutants (POPs), and the second simultaneous extraordinary meetings of the Conferences of the Parties to the three conventions (ExCOPs2) begins today in Geneva, Switzerland.

Key issues to be considered by the simultaneous meetings include: joint activities among the conventions; progress on enhancing cooperation and coordination among the Basel, Rotterdam and Stockholm conventions; and identifying new concrete areas where synergies can be achieved.

A BRIEF HISTORY OF THE CHEMICALS AND WASTES CONVENTIONS

ExCOPs1: The first simultaneous extraordinary meeting of the Conferences of the Parties (ExCOPs1) to the Basel, Rotterdam and Stockholm conventions were held 22-24 February 2010 in Bali, Indonesia. The meeting was a result of the work of the *Ad hoc* Joint Working Group on Enhancing Cooperation and Coordination among the Basel, Rotterdam and Stockholm conventions, which was mandated by the Stockholm, Rotterdam and Basel conventions to prepare joint recommendations on enhanced cooperation and coordination for submission to the COPs of all the three conventions.

At the ExCOPs, delegates adopted an omnibus synergies decision on joint services, joint activities, synchronization of the budget cycles, joint audits, joint managerial functions, and review arrangements.

In the decision on review arrangements, the ExCOPs, *inter alia*, decided to review at the COPs of the three conventions in 2013 how the synergies arrangements adopted pursuant to the synergies decisions have contributed to achieving a set of

objectives, such as strengthening the implementation of the three conventions and maximizing the effective and efficient use of resources at all levels. The ExCOPs also requested the secretariats to prepare detailed terms of reference for the preparation of a report for the purpose of the review for consideration and adoption by the COPs of the three conventions in 2011, and to compile and complete their report jointly for adoption by the three COPs in 2013.

STOCKHOLM CONVENTION: The Stockholm Convention was adopted in May 2001 and entered into force on 17 May 2004.

The Stockholm Convention, as adopted in 2001, calls for international action on 12 POPs grouped into three categories: 1) pesticides: aldrin, chlordane, DDT, dieldrin, endrin, heptachlor, mirex and toxaphene; 2) industrial chemicals: hexachlorobenzene (HCB) and polychlorinated biphenyls (PCBs); and 3) unintentionally produced POPs: dioxins and furans.

In 2009, parties to the Convention agreed to add nine more chemicals to the Convention: c-pentabromodiphenyl ether; chlordecone; hexabromobiphenyl (HBB); alpha hexachlorocyclohexane (alphaHCH); betaHCH; lindane; c-octabromodiphenyl ether; pentachlorobenzene (PeCB); and perfluorooctane sulfonate (PFOS), its salts and PFOS fluoride. In 2011, parties added endosulfan to the Convention.

Governments are to promote best available techniques (BAT) and best environmental practices (BEP) for replacing existing POPs while preventing the development of new POPs.

The Stockholm Convention currently has 179 parties.

SC COP5: COP5 to the Stockholm Convention was held from 25-29 April 2011, in Geneva, Switzerland. SC COP5 considered several reports on activities within the Convention's mandate and adopted over 30 decisions on, *inter alia*: listing endosulfan in Annex A of the Convention; financial and technical assistance; synergies; and endorsing seven new Stockholm Convention regional centres, in Algeria, Senegal, Kenya, South Africa, Iran, India and the Russian Federation.

ROTTERDAM CONVENTION: The Rotterdam Convention (RC) was adopted in September 1998 and entered into force on 24 February 2004. The Convention creates legally binding obligations for the implementation of the PIC procedure. It built on the voluntary PIC procedure, created by the United Nations Food and Agricultural Organization and the United



Nations Environment Programme (UNEP). The objectives of the Convention are: to promote shared responsibility and cooperative efforts among parties in the international trade of certain hazardous chemicals in order to protect human health and the environment from potential harm; and to contribute to the environmentally-sound use of those hazardous chemicals, by facilitating information exchange about their characteristics, by providing for a national decision-making process on their import and export and by disseminating these decisions to parties. There are currently 152 parties to the Rotterdam Convention.

RC COP5: The fifth COP to the Rotterdam Convention convened from 20-24 June 2011, in Geneva, Switzerland. COP5 adopted 13 decisions, including on the addition of aldicarb, alachlor and endosulfan to Annex III of the Convention (chemicals subject to the PIC procedure). The meeting also adopted decisions on: the budget; technical assistance; synergies; information exchange; trade; and the work of the Chemical Review Committee. Delegates addressed those issues that eluded consensus during the last meeting of the COP, but still could not agree on mechanisms and procedures for non-compliance and the inclusion of chrysotile asbestos in Annex III of the Convention.

BASEL CONVENTION: The Basel Convention was adopted in 1989 and entered into force on 5 May 1992. It was created to address concerns over the management, disposal and transboundary movement of the estimated 400 million tonnes of hazardous wastes that are produced worldwide each year. The guiding principles of the Convention are that transboundary movements of hazardous wastes should be: reduced to a minimum; managed in an environmentally-sound manner; treated and disposed of as close as possible to their source of generation; and minimized at the source. In September 1995, at BC COP3, parties adopted the Ban Amendment, which bans the export of hazardous wastes for final disposal and recycling from Annex VII countries (EU, OECD and Liechtenstein) to non-Annex VII countries. According to Article 17, paragraph 5, entry into force of amendments takes place upon ratification by at least three-fourths of the parties "who accepted them." There were differing interpretations over the term "who accepted them" and, therefore, over the number of ratifications required for the Ban Amendment to enter into force. Some parties suggested that the number was three-fourths of parties at the time of adoption of the Ban Amendment. Others, including the UN Office of Legal Affairs, argued that three-fourths of current parties must ratify the Ban Amendment.

There are currently 180 parties to the Convention. There are currently 75 parties to the Ban Amendment.

BC COP10: The tenth meeting of the Conference of the Parties to the Basel Convention was held from 17-21 October 2011, in Cartagena, Colombia. BC COP10 adopted decisions on the new strategic framework and the Indonesian-Swiss country-led initiative (CLI) to improve the effectiveness of the Basel Convention. The CLI clarifies the interpretation of Article 17(5), and entails that the Ban Amendment will enter into force once three-fourths, that is 66 of the 87 parties which were parties when it was adopted at COP3, ratify the Amendment. The Ban Amendment has not yet entered into force.

COP10 also adopted 25 decisions on, *inter alia*: synergies; the budget; legal matters; Basel Convention Regional and Coordinating Centres (BCRCs); capacity building; the

Partnership Programme; and technical matters. The Cartagena Declaration on prevention and minimization of hazardous wastes was also adopted.

INTERSESSIONAL HIGHLIGHTS

ROTTERDAM CONVENTION CRC8: The eighth meeting of the Chemical Review Committee (CRC8) of the Rotterdam Convention convened from 19-23 March 2012 in Geneva, Switzerland. CRC8 adopted eight decisions, including on: dicofol; trichlorfon; pentabromodiphenyl ether (pentaBDE) and pentaBDE commercial mixtures; octabromodiphenyl ether (octaBDE) and octaBDE commercial mixtures; perfluorooctane sulfonic acid, perfluorooctanesulfonates, perfluorooctanesulfonamides and perfluorooctanesulfonyls; paraquat; and working procedures and policy guidance.

ICCM3: The third session of the International Conference on Chemicals Management (ICCM3) met from 17-21 September 2012, in Nairobi, Kenya. The Conference adopted nine resolutions including on the budget of the Secretariat and emerging policy issues such as chemicals in products, lead in paint as well as endocrine disrupting chemicals. On the issue of information clearinghouses, the ICCM3 decision on the Strategic Approach to International Chemicals Management (SAICM) budget invites the Coordinator of the SAICM Secretariat and the Joint Executive Secretary of the Basel, Stockholm and Rotterdam conventions to further increase synergies in the implementation of their respective clearinghouses.

BASEL CONVENTION OEWG: The eighth meeting of the Open-ended Working Group of the Basel Convention (OEWG8) was held from 25 to 28 September 2012 in Geneva, Switzerland.

OEWG8 progressed its work on technical guidelines for environmentally-sound management of wastes containing POPs, with the aim of further strengthening synergies between the Basel and Stockholm conventions. Parties also agreed to develop a glossary covering key terminology under the Convention such as waste/non-waste, hazardous/non-hazardous waste, re-use, direct re-use, refurbishment, secondhand goods, used goods and end-of-life goods.

STOCKHOLM CONVENTION POPRC: The eighth meeting of the Persistent Organic Pollutants Review Committee (POPRC8) of the Stockholm Convention took place from 15-19 October 2012 in Geneva, Switzerland.

POPRC8 adopted 12 decisions, including on: advancing pentachlorophenol (PCP) and its salts and esters to the risk profile stage; advancing chlorinated naphthalenes (CNs) and hexachlorobutadiene (HCBd) to the risk management evaluation stage; amending POPRC7's decision on hexabromocyclododecane (HBCD) to recommend that parties consider listing it in Annex A with exemptions for production and use in expanded and extruded polystyrene in buildings; assessment of alternatives to endosulfan and DDT; the impact of climate change on the POPRC's work; the work programme on brominated diphenyl ethers (BDEs) and perfluorooctane sulfonic acid (PFOS), its salts and perfluorooctane sulfonyl fluoride (PFOSF), and evaluation of the implementation of the Stockholm Convention for those chemicals; issues and common practices in the application of the Annex E criteria; assessment of PFOS alternatives in open applications; revision of the guidance on alternatives to PFOS, its salts and PFOSF; and effective participation of parties in the POPRC's work.