



SUMMARY OF THE 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 on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (BC COP11), the sixth meeting of the Conference of the Parties to the Rotterdam Convention on the Prior Informed Consent (PIC) Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (RC COP6), the sixth meeting of the Conference of the Parties to the Stockholm Convention on Persistent Organic Pollutants (POPs) (SC COP6), and the second simultaneous extraordinary meetings of the Conferences of the Parties to the three conventions (ExCOPs2) convened from 28 April – 10 May 2013 in Geneva, Switzerland. Over 1000 participants, including over 80 ministers, attended the meetings.

Negotiations in Geneva focused on key elements of the synergies process, including: joint activities among the conventions; progress on enhancing cooperation and coordination among the three conventions; and identifying new concrete areas where synergies could be achieved. Parties also considered convention-specific issues, notably: the listing of hexabromocyclododecane (HBCD) and a compliance mechanism, under the Stockholm Convention; e-waste guidelines and follow-up to the Indonesian-Swiss country-led initiative to improve effectiveness, under the Basel Convention; and the listing of five new chemicals and a compliance mechanism, under the Rotterdam Convention.

While the meeting did not result in agreement on compliance procedures under Stockholm and Rotterdam, the Ordinary and Extraordinary Meetings of the Conferences of the Parties to the Basel, Rotterdam and Stockholm conventions took over 40 decisions, and agreed to convene the next round of chemicals and wastes COPs back-to-back in 2015, without ExCOPs or a high-level segment.

A BRIEF HISTORY OF THE CHEMICALS AND WASTE CONVENTIONS

ExCOPs1: The first simultaneous extraordinary meeting of the Conferences of the Parties (ExCOPs1) to the Basel, Rotterdam and Stockholm conventions was 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 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 review and adoption by the COPs of the three conventions in 2011, and to compile and complete their report for adoption by the three COPs in 2013.

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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 (PFOSF). 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 (FAO) 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 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 previous meeting of the COP, but 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 that 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.

REPORT OF THE MEETINGS

The Ordinary and Extraordinary Meetings of the Conferences of the Parties to the Basel, Rotterdam and Stockholm conventions opened on Sunday morning, 28 April 2012. Executive Secretary Jim Willis highlighted the meeting's theme "Sustainable Synergies," and said the planned simultaneous ordinary sessions are "innovative and unique" in international environmental governance. Clayton Campanhola, Co-Executive Secretary for the Rotterdam Convention (RC), observed the numerous chemicals to be considered for listing in Annex III of the RC, and highlighted paraquat as the first severely-hazardous pesticide formulation to be considered for listing.

This report summarizes the discussions by ExCOPs2, the Simultaneous Ordinary Meetings of the COP, SC COP6, BC COP11 and RC COP6, based on their respective agendas. Negotiations and outcomes of discussions under the Simultaneous Ordinary Meetings of the COPs are summarized in the context of negotiations under the COP.

EXCOPS2

Osvaldo Álvarez (Chile), Stockholm Convention COP6 President, explained that all COP presidents would speak on behalf of the other presidents during the extraordinary meeting.

Bakary Kante, UNEP, speaking on behalf of UNEP Executive Director Achim Steiner, noted the historic nature of three conventions convening their COPs back-to-back and simultaneously, and underscored the importance of agreement on the Minamata Convention on Mercury.

Welcoming participants to Geneva, Bruno Oberle (Switzerland), expected the ExCOPS2 to further strengthen their cooperation and, noting that the Minamata Convention on Mercury will be adopted and open for signature in October, he expressed hope that its secretariat will become part of the Joint Secretariat.

Franz Perrez (Switzerland), Basel Convention COP President, said that ExCOPS2 would build on the successes of the previous COPs. Magdalena Balicka (Poland), Rotterdam Convention COP President, thanked parties for their confidence and trust.

Jordan, for the Asia-Pacific region, emphasized that sound management of chemicals and wastes is essential to development, and said decisions should be taken by consensus.

Mexico, for the Latin American and Caribbean Group (GRULAC), called for guaranteed financial resources and strengthening of regional centres to support developing countries' compliance.

Ireland, on behalf of the European Union (EU), expressed support for the integrated approach to financing of chemicals and wastes and called for, *inter alia*, compliance mechanisms for both the SC and RC, and listing chrysotile asbestos under the RC.

Kenya, for the African Group, underscored the importance of regional centres in building capacity for implementation.

The Czech Republic, for the Central and Eastern European region, lauded the opportunity to address cross-cutting issues such as compliance, finance and technical assistance.

ORGANIZATIONAL MATTERS

ADOPTION OF THE AGENDA: SC President Álvarez introduced the agenda for ExCOPS2 (UNEP/FAO/CHW/RC/POPS/EXCOPS.2/1 and 1/Add.1/Rev.1). Noting a request from the EU to consider several items in proposed contact groups, the ExCOPS adopted the draft agenda.

ORGANIZATION OF WORK: Álvarez introduced and the Joint Secretariat outlined the documents related to the organization of work for ExCOPS2 (UNEP/FAO/CHW/RC/POPS/EXCOPS.2/INF/1/Rev.1, INF/2/Rev.1, INF/3/Rev.1 and INF/4), the BC (UNEP/CHW.11/1/Add.1 and INF/1), the RC (UNEP/FAO/RC/COP.6/1/Add.1 and INF/1) and the SC (UNEP/POPS/COP.6/1/Add.1 and INF/1). The Joint Secretariat also introduced the launch of a mobile phone application titled "Synergies." Acknowledging the EU request to consider several items in proposed contact groups, the ExCOPS adopted the organization of work.

REPORT ON CREDENTIALS: This issue was addressed on Thursday, 9 May, when the Secretariat reported on parties' credentials and presented the three bureaus' proposed compromise that: "only credentials received by Thursday, 9

May, noon, in original form and in line with the requirements specified in Rules of Procedure (RoP) for the meetings of the COPs to the three conventions are considered valid; parties that have not submitted valid credentials are participating in the meetings as observers, and they will also be recorded as observers in the final reports of the meetings; and if by Thursday, 16 May, noon, these parties submit valid credentials, they will be recorded as parties in the final reports of the meetings."

Mexico, for GRULAC, supported by Venezuela, Brazil, Cuba and India, strongly objected to the proposed decision. Mexico stated that GRULAC could not accept a decision that limited participation of parties, and requested the bureaus to reconsider. Zambia stated that African countries had respected the RoP. Guinea said that his country did not strongly object to the proposal of the bureaus, but stated that it should not become a precedent. The Central African Republic requested more flexibility by the bureaus.

BC President Perrez said the bureaus had been as flexible as possible, and that if parties objected to the bureaus' proposal, he would resort to a vote. Parties then agreed to the bureaus' proposal on credentials. This agreement was adopted under RC COP6, BC COP11 and SC COP6.

ENHANCING COOPERATION AND COORDINATION AMONG THE BASEL, ROTTERDAM AND STOCKHOLM CONVENTIONS: Parties first discussed this item in the ExCOPS meeting on Sunday, 28 April. A contact group was established on budget and synergies, co-chaired by Gregor Filyk (Canada) and Karel Blaha (Czech Republic), to discuss: synergies; joint activities; measures to further increase cooperation and coordination; the modality of the next meetings of the COPs; the Programme of Work and the budget for joint activities; and the Programmes of Work and budgets for the three conventions.

Review of Synergies Arrangements: On Sunday, 28 April, the Joint Secretariat introduced the documents on: enhancing cooperation and coordination and review of the synergies arrangements (UNEP/FAO/CHW/RC/POPS/EXCOPS.2/2 and Add.1); reports of UNEP and FAO, and the Secretariat on the review of the synergies arrangements (INF/5 and INF/6); and UNEP Governing Council decision 27/12 on chemicals and waste management (INF/20).

On the review process, a representative of the UNEP evaluation office noted that the "immaturity" of the synergies process presented challenges. The Joint Secretariat reported that 23 parties submitted questionnaire responses, which indicated that, among other items, the synergies process was progressing towards its objectives. President Álvarez highlighted that the UNEP Governing Council decision invited parties to consider steps to facilitate the possible addition of the Minamata Convention on Mercury to the synergies process and suggested, and parties agreed, to discuss further cooperation with the Minamata Convention in the contact group.

In the contact group, several developed and developing country parties expressed dissatisfaction with the review of synergies arrangements. Some questioned the timing of the reviews, in terms of the time periods for which data was collected, and some suggested it was too early in the synergies

process to measure impacts. The group agreed to hold a future review of arrangements, and discussed the scope, specifically whether to assess the extent of implementation of synergies arrangements or the impact of synergies arrangements.

The review of arrangements also informed the group's discussions of, and agreement to, general recommendations and recommendations to parties, the Executive Secretary, UNEP, FAO, other institutions and stakeholders, based on the review of arrangements. Delegates discussed at length numerous recommendations. On cooperation and coordination at the national level, one developing country party expressed disagreement with this recommendation to parties, and said that countries should determine their national arrangements for chemicals and wastes management. Delegates also discussed a recommendation on financing synergies arrangements, according to the principle of common but differentiated responsibilities.

Several developing countries supported this recommendation emphasizing the importance of ensuring synergies arrangements are adequately supported. Several developed countries cited the separate chapter on financing, under development by the contact group on technical assistance and financial resources, and did not support a financing reference in the recommendations. Delegates agreed to a recommendation to support synergies arrangements including through voluntary contributions. In the closing plenary, Co-Chair Blaha reported agreement on the remaining recommendations was reached with the addition of a chapeau explaining that these recommendations were not legally-binding.

Proposal for Organization of the Secretariat: In plenary on Sunday, 28 April, Executive Secretary Willis introduced the Joint Secretariat's proposal for the modification of the organization of the three Secretariats (UNEP/FAO/CHW/RC/POPS/EXCOPS.2/2/INF/7 and INF/8); RC Secretariat organization (INF/9); BC COP audit (INF/18); estimated cost savings of synergies (INF/22); and mainstreaming gender (INF/25).

In the contact group, some developing country parties did not support the recommendation to adopt the new matrix structure of the Secretariat and said that they were being asked to approve a change that had already occurred. Several developed country parties supported the recommendations. Some delegates supported three secretariats, each with its own Executive Secretary.

Joint Activities: In plenary on Sunday, 28 April, the Joint Secretariat introduced documents on: joint activities (UNEP/FAO/CHW/RC/POPS/EXCOPS.2/2/Add.4); implementation of joint activities (INF/10); activities undertaken jointly by the Secretariat (INF/13); ratification status (INF/15); potential for collaboration between the Persistent Organic Pollutants Review Committee (POPRC) and the Rotterdam Convention Chemical Review Committee (CRC) (INF/17); and draft guidance on the joint clearinghouse mechanism (INF/19). On the joint clearinghouse mechanism, the Joint Secretariat noted challenges in raising funds to support activities and explained that the Executive Secretary's budget proposal suggests such funds be considered part of the conventions' trust funds.

Budget for joint activities and possible necessary amendments to the budget of the three conventions for the biennium 2014-2015: In plenary on Sunday, 28 April, Executive Secretary Willis outlined the three baseline budgets as starting

points for discussion of the 2014-2015 biennium budget, noting that the three 2015 COPs had been budgeted for separately. The Secretariat introduced relevant documents, including: the combined proposal including joint activities (UNEP/FAO/CHW/RC/POPS/EXCOPS.2/3); the programmes of work and proposed budgets for the biennium 2014-2015 (INF/11/Rev.1); budget activity fact sheets (INF/12); and contributions to the technical cooperation and voluntary special trust funds (INF/23).

The contact group considered the budget for joint activities, particularly as undertaken by regional centres, in its deliberations on the separate budget decisions for each convention. The group considered the joint budgets for several items, including the secretariats and joint activities, before considering how to prepare individual budgets and work programmes for each convention.

Throughout its deliberations, the contact group considered how to address assessed contributions. Several countries' assessed contributions for the upcoming biennium increased substantially, even doubling for some. The budget group agreed to keep the nominal growth for each budget as close to zero as possible.

In the closing ExCOPs plenary on Friday, 10 May, Contact Group Co-Chair Filyk reported that the group achieved an average nominal growth of 1.39% across the conventions. He also reported that parties' assessed contributions for the BC increased 9%, and for the Stockholm and Rotterdam conventions, contributions increased 15%. He said that the group agreed they could not ask more of parties, but that asking less would "jeopardize" implementation. Filyk also underscored the importance of parties paying their contributions, saying "there is very little cash in the bank." He expressed concern that the conventions may not be able to capitalize on synergies savings, just when implementation at the regional and national levels is beginning.

Enhanced Cooperation and Coordination between the Technical Bodies of the Three Conventions: The contact group discussed a proposal by Norway to include a chapter of the omnibus decision on enhancing cooperation and coordination between the conventions' technical bodies. In particular, the group focused on the POPRC and CRC. Some delegates from developed countries supported increasing cooperation and reforms to the CRC. Some delegates from developing countries stressed the independent mandates and legal autonomy of the committees, and queried how often these committees address similar issues given their different purposes under their respective conventions. The group agreed to include recommendations, including on alignment of working arrangements and development of guidance to assist the CRC when considering a POP.

Wider Cooperation: Based on the request of the UNEP Governing Council to consider facilitating cooperation with the Minamata Convention, the contact group agreed to include a new chapter on wider cooperation in the chemicals and wastes cluster. On cooperation and collaboration with the Minamata Convention, the group discussed an initial text put forward by a developed country that expressed strong support for including the Minamata Convention in the synergies process with the three current conventions. Others did not support collaboration to this

extent, noting that the Minamata Convention does not yet legally exist and that signatories, and future parties, to the Minamata Convention should have the opportunity to choose to take part in synergies, if they agree.

Delegates in the contact group also discussed cooperation and collaboration with other bodies in the chemicals and wastes cluster, particularly the Strategic Approach to International Chemicals Management (SAICM) and regional conventions. A developing country group strongly supported references to regional conventions, such as the Bamako Convention. Others did not support naming specific conventions, and preferred wider references to national, regional and global instruments.

UNEP Consultative Process: In plenary on Sunday, 28 April, the Joint Secretariat introduced a note on the outcome of the UNEP Executive Director's consultative process on financing options for chemicals and wastes (UNEP/FAO/CHW/RC/POPS/EXCOPS.2/INF/14). This item was discussed by the contact group on Technical Assistance and Financial Resources.

In the contact group there was strong disagreement over how to refer to the Consultative Process. Many developing countries supported "taking note" of the outcome, while several developed countries supported "welcoming" the outcome. The group recognized that the Stockholm Convention has a financial mechanism, facilitated through an interim relationship with the Global Environment Facility (GEF), while the other two conventions do not have such a relationship with the GEF, or a financial mechanism. Parties discussed at length how to communicate with the GEF regarding its 6th replenishment given the different arrangements of the conventions.

Omnibus Decision: On Friday, 10 May, the ExCOPS2 plenary reconvened to discuss the omnibus decision and BC President Perrez introduced consideration of elements of the draft omnibus decision (UNEP/FAO/CHW/RC/POPS/EXCOPS.2/CRP.5/Rev.1, Add.1/Rev.1 and Add.2).

Contact Group Co-Chair Blaha introduced ExCOPS CRP.5/Rev.1, containing review arrangements, organization of the secretariats of the three conventions, joint activities, wider cooperation and transparency and accountability, with sections on enhanced cooperation and coordination and on outcomes of the UNEP Executive Director's consultative process on financing options for chemicals and wastes to be considered separately. The ExCOPS adopted the decision.

Co-Chair Blaha then introduced ExCOPS CRP.5/Add.1/Rev.1, on enhanced cooperation and coordination between technical bodies and follow-up recommendations from the review of arrangements (Annex I), highlighting changes agreed by the contact group. The ExCOPS adopted the decision.

On ExCOPS CRP.5/Add.2, containing the draft preamble to the omnibus decision, Co-Chair Blaha highlighted that the contact group had not agreed on a reference to Principle 7 of the Rio Declaration on Environment and Development on common but differentiated responsibilities. He said this text remained in square brackets, with two options outlined in the draft decision. The COP did not agree on either option: deleting only the reference to Principle 7 or deleting the entire paragraph in which it was referenced. India, China, Egypt and Iran objected to the removal of reference to Principle 7, with China underscoring its importance. The EU and Australia did not accept retention of

this reference, explaining there are many important principles in the Rio Declaration, and they did not want to highlight only one. The EU noted similar discussions had taken place on the Geneva Statement, and the decision was to leave out mention of specific principles.

BC President Perrez proposed using agreed language from the Minamata Convention related to the Rio Declaration principles. This had support from some, including China and Egypt, but opposition from others, with Australia noting the Minamata text had been finalized in a different context. A small informal group, involving China, the EU, Australia, India, and Egypt, was tasked with short consultations, but were unable to resolve the differences.

Without agreement, BC President Perrez said the text would not be adopted, and the omnibus decision would not contain a preamble. China, supported by Egypt and Russia, said this would set a "dangerous" precedent for future negotiations. Iran said the synergies decision was a complete package. The small group was again tasked by the COP with further consultations with BC President Perrez.

After consultations, the small group reported agreement on removing specific reference to Principle 7 and to reiterating the principles in decisions taken by the previous COPs of each convention.

Delegates adopted the preamble as orally amended.

Mohammed Khashashneh, Co-Chair of the Technical Assistance and Financial Resources Contact Group, introduced Section VII of draft omnibus decision, on facilitating financial resources for chemicals and wastes (EXCOPS CRP.5/Add.3), noting consensus was reached after extensive negotiation.

Iran said his delegation had been unable to attend the contact group due to the number of concurrent contact group meetings and expressed disappointment that his delegation's proposed text had not been included, but said he would accept the document for the sake of compromise. The Russian Federation, supported by Belarus, proposed adding "and countries with economies in transition" to a reference to a paragraph referencing developing countries.

Delegates then adopted Section VII of the omnibus decision as orally amended. On Friday, 10 May, ExCOPS2 formally adopted the omnibus synergies decision.

Final Decision: The omnibus synergies decision for ExCOPS is contained in UNEP/FAO/CHW/RC/POPS/EXCOPS.2/CRP.5/Rev.1, Add.1/Rev.1, Add.2 and Add.3.

In the preamble, the COPs adopt the omnibus decision, noting, *inter alia*:

- mindful of the legal autonomy of each of the three conventions;
- recognizing the broad scope of the three conventions;
- welcoming the continued commitment of all parties to ensuring the implementation of the full breadth of the three conventions;
- taking into account the specific needs and circumstances of developing countries, particularly small island developing states (SIDS) and least developed countries (LDCs), and countries with economies in transition; and
- mindful of the various principles in the three conventions, including pertinent provisions of the Rio Declaration on

Environment and Development, and reiterating decisions BC EXCOP-1/1, RC EXCOP-1/1 and SC EXCOP-1/1.

In Chapter I, on review of arrangements, the COPs, *inter alia*:

- request the Executive Secretary and invite parties, UNEP, FAO and other stakeholders to implement the recommendations set out in Annex I to this decision;
- request the Executive Secretary, in consultation with the Executive Director of UNEP and Director-General of FAO, to provide a succinct report to the COP in 2015 on the implementation of the decision;
- decide to undertake a further review of the synergies arrangements, which should be based on an independent assessment of the implementation and impact of the joint activities and joint managerial functions, including joint services, at all levels, and presented as a report for consideration by the COPs at their meetings in 2017; and
- request the Executive Secretary, in collaboration with UNEP and FAO and in consultation with parties, to prepare options for the review and its methodology, including draft terms of reference for the 2017 review for consideration by COPs at their meetings in 2015.

In Chapter II, on the organization of secretariats of the Basel, Rotterdam and Stockholm conventions, the COPs, *inter alia*:

- take note of the interim reorganization of the secretariats of the BC and the SC and the UNEP part of the Secretariat of the RC pursuant to the December 2011 proposal of the Executive Secretary, which was effected in February 2012;
- take note that the Executive Director of UNEP, following consultation with the Director-General of FAO and the Executive Secretary, has reviewed the interim organization of the secretariats and approved the Executive Secretary's proposal for the implementation of the matrix-based management approach and organization of the secretariats;
- request the Executive Director of the UNEP to confirm to the COPs detailed information on the projected cost savings, identified since the implementation of the new matrix-based management approach and organization of the secretariats;
- note that the FAO part of the Secretariat of the RC, which was not included in the matrix-based management approach and organization, contributes to all the operational areas set out in that approach and request that the executive secretaries of the Basel, Rotterdam and Stockholm conventions review the proposals on the organization and operation of the part of the RC Secretariat hosted by the FAO to enhance synergies arrangements;
- endorse the matrix-based management approach and organization of the of the secretariats of the BC and the SC and the UNEP part of the Secretariat of the RC, as approved by the Executive Director;
- invite the UNEP Executive Director, in consultation with the Director-General of the FAO and the Executive Secretary, to undertake a review of the matrix-based management approach and organization to ensure that the operation of the secretariats is efficient and effective, and advise the COPs of any follow-up action necessary at their meetings in 2017, and further invite the Executive Director to make any such changes as are deemed necessary in advance of the following meetings of the COPs;

In Chapter III, joint activities, the COPs, among other things:

- take note of the initial and important progress made through joint activities in enhancing cooperation and coordination among the Basel, Rotterdam and Stockholm conventions, enabling improved cost efficiencies and reduced administrative burden;
- stress the need for further efforts to be made in the implementation of the objectives of the synergies arrangements to promote coherent policy guidance and to strengthen the implementation of the three conventions at the national, regional and global levels;
- request the Secretariats: to prepare a report on implementation, to recommend areas for further development or adjustment and to identify possible future joint activities;
- to continue to present joint activities as an integral part of the proposed programmes of work and budgets of the three conventions; and
- invite parties in a position to do so to continue to support the joint activities of the three conventions.

In Chapter IV, on enhanced cooperation and coordination between technical bodies of the three conventions, the COPs, *inter alia*:

- take note of the information provided in the paper by the Chairs of the POPRC and the CRC on the potential for enhanced cooperation and coordination between the two committees;
- welcome the identification of the options for information exchange and improved communication and recommend accelerating the implementation of joint activities between the POPRC and the CRC;
- request an alignment of the working arrangements of the CRC with those of the POPRC to allow for, *inter alia*, effective participation of experts and observers at committee meetings;
- request the POPRC and the CRC to discuss and identify further steps to enhance the cooperation and coordination between these two technical bodies, where practical and in accordance with their autonomous mandates and terms of reference (ToRs); and
- encourage the POPRC to involve experts from the BC when discussing waste-related issues.

In Chapter V, on wider cooperation, the COPs, *inter alia*:

- welcome paragraphs 89 and 213–223 of the outcome document of the United Nations Conference on Sustainable Development, “The Future We Want,” relating to the sound management of chemicals and wastes, including the reaffirmation of the aim to achieve by 2020 the sound management of chemicals throughout their lifecycle and of hazardous waste, and the call for further enhancing coordination and cooperation with relevant actors at all levels;
- request the Secretariat to further enhance cooperation and coordination with SAICM to contribute to meeting the 2020 goal and to report on this to the COPs in 2015, recognizing the different legal status of the instruments;
- express its interest and signal readiness to cooperate and coordinate with the Minamata Convention on Mercury; and
- invite the Conference of the Plenipotentiaries of the Minamata Convention to consider cooperation and coordination in areas of mutual interest to the four conventions.

In Chapter VII, on facilitating financial resources for chemical wastes, the COPs, *inter alia*:

- welcome decision 27/12, section VIII, on the Consultative Process taken by the UNEP Governing Council;
- join the UNEP Governing Council in welcoming an integrated approach to addressing the financing of the sound management of chemicals and wastes, which underscores that the three components of an integrated approach—mainstreaming, industry involvement and dedicated external finance—are mutually reinforcing and are all important for the financing of sound management of chemicals and wastes;
- agree that an integrated approach supplements and seeks to address the increased need for adequate, predictable, accessible and sustainable financial solutions for the chemicals and wastes cluster at national, regional and international levels;
- invite all countries, and urge in particular developed countries, within their capabilities, to further strengthen the element of dedicated external financing, so as to support developing countries and countries with economies in transition in their efforts to implement sound management of chemicals and wastes;
- note with appreciation the invitation made by the GEF Council to revise, in the context of its sixth replenishment process, its focal area structure and strategy in order to address the chemicals and wastes cluster, and invites donors to increase their financial contributions during the sixth replenishment;
- take note of the country-led meeting to further develop terms of reference for the special programme, as described in UNEP decision 27/12, emphasizing that institutional strengthening at a national level requires attention;
- invite parties to implement actions to further encourage industry involvement in the integrated approach; and
- underline that implementation at the regional level, including through regional centres, could be strengthened by mobilizing further financial resources through an integrated approach.

HIGH-LEVEL SEGMENT

On Thursday, 9 May, introducing the high-level segment, Jim Willis, Executive Secretary, highlighted the segment's theme: "Synergies and the implementation of the chemicals and wastes conventions at the national, regional and global levels."

Doris Leuthard, Head, Federal Department of the Environment, Transport, Energy and Communications, Switzerland, lauded the synergies process as a model for strengthening international environmental governance. The financial savings from synergies should be channeled towards implementation of commitments in developing countries.

UNEP Executive Director Achim Steiner reminded parties that the 2020 target for the sound management of chemicals and hazardous wastes is "not just a number," saying the "bitter irony" is that many citizens are unaware of the risks they face or of possible precautionary measures. Steiner reminded parties that synergies are a means, not an end, leading to the logical next step of national implementation. He stated that work on financing for the chemicals agenda is gaining political support, and that chemicals and wastes will no longer be the "the poorer cousin" of other environmental issues.

Calling attention to the fact that most pesticides end up as contamination, FAO Director-General José Graziano da Silva noted ongoing effects of the use of chemicals during the green revolution in the 1970s. He drew attention to the revised International Code of Conduct on the Distribution and Use of Pesticides, reflecting language on hazardous pesticides from the RC.

Naoko Ishii, Global Environment Facility (GEF) CEO and Chairperson, highlighted three ways the GEF can support implementation of the chemicals and wastes conventions: mainstreaming sound chemicals management in national agendas; developing integrated chemicals and wastes focal areas; and involving the private sector. She underscored the GEF's readiness to do its part to support parties at this critical juncture.

Bakary Kante, UNEP, said that the "magic of synergies" was evidenced by the number of ministers attending. He encouraged the ministers to "raise the bar" and implement synergies at the regional and national levels for more effective and efficient management of chemicals.

Ministers then departed for discussions in high-level roundtables.

On Friday, 10 May, UNEP Executive Director Achim Steiner facilitated a high-level discussion on the outcomes of the ministerial roundtables, which convened on Thursday, 9 May. Ministers from, *inter alia*, Côte d'Ivoire, Burkina Faso, Sri Lanka, Djibouti, Switzerland, South Africa, Argentina and the State of Palestine, reported back on their discussions and intervened on the themes raised.

Executive Secretary Jim Willis reported that 80 ministers and vice-ministers met in nine panels to consider the theme "synergies and the implementation of the chemicals and wastes conventions at the national, regional and global levels." He summarized the key messages emerging from the ministerial panel discussions, including long-term needs, delivery and future policy-making.

Willis said that panelists agreed that chemicals production would increase as economies develop, so measures must be in place to guard against their impact on human health and the environment. The best way of ensuring this was through the synergies approach, particularly between the three conventions.

On long-term needs, panelists agreed that: it is important to bring together their colleagues from the health, agriculture, trade, and industry ministries to tackle chemicals and wastes issues through a sustainable development approach; and the synergies approach should cover not only the three conventions but also other existing and future instruments and programmes such as the Minamata Convention, SAICM and the ozone instruments. Panelists: noted the benefits of synergies at the national level; suggested that industry could be encouraged to implement environmentally-sound practices through such measures as tax incentives; identified e-waste as an issue of growing concern; and called for the development of an international panel on chemicals similar to the Intergovernmental Panel on Climate Change.

On delivery, panelists agreed that each country or group of countries had to develop an approach to synergies according to its specific needs. They highlighted the need to: enhance public awareness, information exchange and education at all levels;

strengthen the regional centres and their secretariats; improve North-South cooperation in the training of experts and exchange of information; and assist coordination and cooperation at the national level through capacity building.

On future policy-making, panelists identified the need for: a common understanding and definition of hazardous chemicals and wastes; elevating the profile of chemicals and waste management in national development agendas and incorporating environmental considerations into economic and social policies; more transparent funding mechanisms tailored to the specific needs of groups of countries; and a simplified process to access GEF funding.

Ministers highlighted, among other things, the need for: national capacity building; simplified, flexible access to financing; inter-ministerial commissions for addressing wastes and hazardous chemicals; information networks to combat the illegal trafficking of hazardous wastes; an evaluation mechanism to assess synergies outcomes; a lifecycle approach to chemicals and wastes management; and the need to “name and shame” polluters. Many ministers underscored the importance of implementation.

Questions raised included how to address the complexity of implementing multiple conventions and how to convince finance ministers of the need for environmentally-sound options. Among the regional concerns noted, the Maldives and Seychelles lauded the convening of a roundtable focused on SIDS, highlighting issues of scale and isolation in many SIDS.

Several ministers, including Uruguay, Cameroon, Togo and Indonesia, raised the topic of regional centres in implementing synergies. Some pointed to cross-cutting and central themes, including: recognition of differences between and among developed and developing countries; regional cooperation; public engagement; science and information; technology transfer; support from the conventions; and the role of the scientific bodies in the conventions, with one noting that their existence does not always lead to “political breakthroughs,” on, for example, asbestos and paraquat. UNEP Executive Director Steiner affirmed that cost savings from synergies were intended to be a “resource reallocation,” not a cost-cutting measure.

Along with other comments from ministers, Uganda highlighted the theme of equity, the Philippines called for strengthening the science and policy interface, Ghana underscored that capacity, particularly infrastructure and equipment, is necessary to achieve lifecycle management of chemicals and wastes and Finland highlighted the need to incentivize companies to produce environmentally-sound alternatives to hazardous chemicals and expressed regret that technical guidelines on e-waste were not adopted during BC COP11. Sri Lanka expressed support for international cooperation to regulate e-wastes and regional efforts to promote the relationship between the environment and health. Announcing plans to host the first COP for the Bamako Convention by June 2013, Mali requested support for the meeting. Mauritania highlighted the Sahelian Pesticide Committee as a unique example of regional cooperation.

Romania called for wider cooperation and coordination with the Minamata Convention and SAICM. Japan welcomed the agreement on the Minamata Convention and offered to take

the lead on cooperation between the BC and the Minamata Convention.

Wylbur Chisiya Simuusa, Minister of Lands, Natural and Environmental Protection, Zambia, presented the “Geneva Statement on the Sound Management of Chemicals and Wastes,” emphasizing that it will further elevate the profile of the chemicals and wastes cluster.

India, China and Iran expressed regret that the principle of common but differentiated responsibilities was not included in the Statement.

UNEP Executive Director Steiner thanked participants, noting that the world of chemicals is a “global marketplace” that will benefit from cooperation among stakeholders.

DATE AND VENUE OF NEXT MEETING

On Friday, 10 May, Budget and Synergies Contact Group Co-Chair Filyk presented a Co-Chairs’ proposal, based on contact group discussion, for the organization of the series of next COPs. He read out draft text proposing the COPs convene in Geneva back-to-back meetings of the ordinary COPs, without a high-level segment or ExCOP, holding simultaneous sessions where appropriate. The text also indicates, among other things, that the back-to-back meetings should prioritize agendas and schedules that focus on substantive matters related to the implementation of the conventions and provide sufficient time for their consideration.

Following clarification that the possible simultaneous sessions were of the COPs, not of contact groups, China suggested the organization may be too challenging, and, noting simultaneous sessions are “another form of ExCOPs,” proposed deleting reference to simultaneous sessions. He suggested the Executive Secretary be tasked to make detailed arrangements on the organization of the meetings.

Switzerland supported China’s proposal, noting it does not preclude the possibility of simultaneous sessions. GRULAC also supported the proposal “in the spirit of cooperation.” India supported China’s proposal, but said this indicated simultaneous sessions should not be held. The EU preferred to retain the Co-Chairs’ initial text. Iran asked for clarification on the differences between simultaneous sessions and ExCOPs.

Following informal consultations, China proposed changing simultaneous to “joint” sessions, and adding “on joint issues.”

Zambia, for the African Group, proposed adding, after text on implementation, “and enforcement.” India and Iran objected. Following clarification from Ethiopia on the intent of the language to refer to domestic-level action, technology and capacity-building support, India suggested instead specifying financial assistance and technology transfer. With China and BC President Perrez noting implementation can be understood more broadly, the African Group withdrew the proposal.

With China’s amendment on joint sessions, the ExCOPs adopted the decision on dates and venue, without the inclusion of specific dates. The Joint Secretariat noted the availability of the CIG in Geneva from 4-15 May, 2015.

CLOSURE OF THE MEETING

On Friday, 10 May, BC President Perrez presented the report of the ExCOPs (UNEP/FAO/CHW/RC/POPS/EXCOPS.2/L.1), and delegates adopted the report. In his closing statement, Perrez

thanked delegates and noted the challenge of organizing such a complex meeting. He thanked his fellow bureau members for their hard work. He also paid tribute to Executive Secretary Jim Willis, at what will be his final COP before retirement, and presented him with a large Swiss cow bell. He gavelled the meeting to a close at 11:58 pm.

SIMULTANEOUS MEETING OF THE ORDINARY COPS

RC COP6 President Magdalena Balicka opened the first simultaneous session of the three COPs on Sunday, 28 April. The simultaneous meeting considered three issues common to each convention: technical assistance and financial resources; national reporting and waste issues related to POPs; and compliance.

TECHNICAL ASSISTANCE AND FINANCIAL RESOURCES

TECHNICAL ASSISTANCE: The Joint Secretariat introduced the main documents on technical assistance and capacity building for the three conventions (UNEP/CHW.11/15, UNEP/FAO/RC/COP.6/15 and UNEP/POPS/COP.6/18).

In the ensuing discussion, Japan said activities should consider the needs of developing countries based on information from parties. The EU highlighted the need for efficient, comprehensive and accurate information-gathering. Switzerland noted the proposed harmonized approach for delivery of technical assistance, but said the Secretariat should maintain a primarily “facilitative role” in implementation. Zambia, on behalf of the African Group, and supported by the Philippines, noted regional challenges with webinars owing to timing, connectivity and language barriers. Jordan suggested capacity building for e-waste and nanotechnology projects. Liberia called for the capacities of focal points to be enhanced technically and financially. Nigeria called for funding for national implementation plan (NIP) development, with the Democratic Republic of Congo noting many activities have not been implemented due to a lack of technical and financial assistance. Côte d’Ivoire called for assistance in raising awareness on e-waste. Pakistan stressed the need for control of illegal traffic of hazardous wastes. Algeria suggested that programmes like the PCB elimination network be expanded to all kinds of wastes.

The Secretariat then introduced the documents on BC regional and coordinating centres (UNEP/CHW.11/5), SC regional and subregional centres for capacity building and transfer of technology (UNEP/POPS/COP.6/19 and Add.1), and criteria and methodology on evaluation of the performance of the BC regional centres (UNEP/CHW.11/5/Add.1).

China expressed concern that centres hosted by developing countries have become the main actors providing technical assistance. Brazil and Venezuela supported China, stressing that the ability of regional centres to meet the specialized needs of each convention should not be compromised.

Niger, Kenya, Kuwait, Colombia, Libya, Panama and Djibouti noted the need to strengthen capacities of regional centres. The EU suggested extending the mandates of current centres for only two years, to allow all centres to be evaluated concurrently.

Parties agreed to further consider the issue of regional centres in the Contact Group on Technical Assistance and Financial Resources.

FINANCIAL RESOURCES: The Joint Secretariat identified 13 documents on this issue and highlighted: needs assessment (UNEP/POPS/COP.6/20); report on the effectiveness of the Memorandum of Understanding (MoU) between the SC COP and the GEF (UNEP/POPS/COP.6/21); third review of the financial mechanism (UNEP/POPS/COP.6/23 and INF/25); consolidated guidance (UNEP/POPS/COP.6/24); and further work (UNEP/POPS/COP.6/25 and INF/27). The GEF Secretariat introduced the GEF report to the SC (UNEP/POPS/COP.6/22 and INF/24).

The EU stated it is “vital” to provide clear guidance on funding priorities. China underlined a disconnect between legally-binding provisions to eliminate some POPs and to provide financial resources. He expressed concern that GEF discussions on the “graduation” of developing countries could “subvert” the arrangements of the SC.

Mexico welcomed the GEF reforms but relayed his country’s experience that the procedures are “very complex.”

Switzerland highlighted the need to provide a clear signal to the GEF as it negotiates the sixth replenishment, and to signal the COP’s preference for institutional strengthening, such as establishing joint chemicals and wastes implementation units. Norway recognized the need to increase financial resources for the three conventions. The EU supported UNEP Governing Council decision 27/12 on financial resources, including programmes on institutional strengthening.

Several developing countries stressed the importance of predictable, adequate and sustainable financial resources for the implementation of the conventions. China and Iran suggested that integrated financing is only one of the necessary measures, and stressed the principles of the SC, including requiring developed countries to fund the incremental costs of phasing out POPs in developing countries.

The Secretariat introduced documents on resource mobilization and sustainable financing (UNEP/CHW.11/19, UNEP/FAO/CHW/RC/POPS/EXCOPS.2/INF.22 and UNEP/FAO/RC/COP.6/14).

Kenya noted some of its projects lack funding for implementation and, with Togo, noted difficulties in accessing GEF funds. Gabon underscored the problem of funding due to GEF focal point bottlenecks.

India and Morocco emphasized that the ratio of co-financing required by the GEF is too high, with India suggesting facilities, such as laboratories, rather than funds be offered as co-finance.

Senegal underscored the impossibility of discussing synergies when only one convention has a financial mechanism. Venezuela, Sudan, Yemen and Liberia called for a financial mechanism to strengthen the Basel and Rotterdam conventions.

Mauritius encouraged the exploration of financing opportunities beyond the GEF, noting the responsibility of industry and other generators of waste to contribute to project development and financing. Iraq called for the establishment of a multilateral fund. Pakistan called for contributions to a robust financial mechanism from developed countries, including private companies and state governments. Brazil said an integrated approach to financing should not impose additional obligations on developing countries.

Parties mandated the Technical Assistance and Financial Resources Contact Group to prepare a draft decision for possible inclusion in the ExCOPs omnibus decision on enhancing cooperation and coordination.

REPORTING AND WASTE ISSUES RELATED TO POPS

On Monday, 29 April, BC COP11 President Franz Perrez introduced discussions on reporting under the BC and SC (UNEP/FAO/CHW/RC/POPS/EXCOPS.2/INF/10, UNEP/POPS/COP.6/26, Add.1 and INF/28, and UNEP/CHW.11/13 and INF/19).

On national reporting, parties discussed improving report completion and timelines for both conventions. The Joint Secretariat highlighted barriers to reporting for each convention, including: for the BC, a lack of inventories of hazardous wastes and difficulties in coordinating data collection; and for the SC, problems related to online system log-in and key government personnel changes.

Australia, Norway, Iran, Malaysia and Lebanon called for streamlining and simplifying reporting formats. The EU noted the potential for synergies among reporting requirements of the Basel and Stockholm conventions, SAICM and the mercury instrument. Ecuador said the lack of a unified system makes reporting difficult.

Egypt suggested the reporting format include space to report obstacles. Zambia, on behalf of the African Group, noted obstacles to reporting, including lack of data, connectivity problems and the time required. Tunisia requested national reporting training. Bahrain suggested questionnaire-based national reporting. The International POPs Elimination Network (IPEN) suggested circulating the draft reporting user manual to parties, IGOs and NGOs for comments.

On waste issues related to POPs, the Joint Secretariat introduced the relevant documents (UNEP/CHW.11/7 and INF/33, and UNEP/POPS/COP.6/14 and INF/7), and outlined work undertaken by the BC Open-ended Working Group (OEWG) and a small intersessional working group on updating general and POPs-specific technical guidelines for environmentally-sound management (ESM) of POPs waste.

The EU encouraged further cooperation among BC and SC experts, lauding a BC decision to invite experts, including under the SC, to participate in Basel intersessional work.

IPEN suggested the POPRC address this as part of their evaluation of newly proposed POPs, with the support of Basel experts. The Joint Secretariat confirmed no proposals had been received from parties on this issue.

COMPLIANCE AND LEGAL MATTERS

On Monday, 29 April, SC President Álvarez chaired the session and the Secretariat introduced the documents regarding the Committee for Administering the Mechanism for Promoting Implementation and Compliance (ICC) (UNEP/CHW.11/10 and Add.1, UNEP/CHW.11/11, INF/14 and INF/18).

ICC Chair Anne Daniel (Canada) reported that the ICC met in November 2012, worked intersessionally by email and held informal consultations. She reported that specific submissions regarding party implementation and compliance have been received from nine parties.

The EU supported broadening the Secretariat trigger, but expressed concern over expanding the implementation fund. Japan questioned the budgetary implications of additional meetings. Norway supported additional meeting time. Switzerland supported a broad interpretation of the BC regarding end-of-life ships.

Kenya, on behalf of the African Group, highlighted its inadequate capacity to monitor transboundary movements and trade of end-of-life products. The Center for International Environmental Law (CIEL) and IPEN said the Secretariat trigger should be permanent and applicable to the SC.

During the afternoon, delegates discussed lessons learned from the ICC. The Joint Secretariat outlined the ICC, including its facilitative nature and its use of both self- and Secretariat-triggers.

Cuba said some ICC characteristics are applicable to the RC but not the SC, as implementation requirements differ. China said any compliance mechanism should not be punitive. Iran called for confirmation of provisions on technology transfer and financial assistance. India called for a facilitative mechanism with a self-trigger.

The Joint Secretariat then introduced the document on procedures and institutional mechanisms for determining non-compliance with the RC (UNEP/FAO/RC/COP.6/13). Australia supported consensus-based decision-making and a limited trigger. The EU noted that three issues remain unresolved: submissions, information and decision-making. Norway said the mechanism should be facilitative, but should include other measures to be applied only after the exhaustion of facilitative incentives. Switzerland called for a supportive compliance mechanism that can identify systemic non-compliance issues. New Zealand called for an effective, forward-looking, transparent, flexible and fair mechanism. China said a mechanism should be conducive to compliance.

The Joint Secretariat then introduced the document on procedures and institutional arrangements for determining SC non-compliance (UNEP/POPS/COP.6/29). He noted the SC COP President had requested ICC Chair Daniel to initiate consultations on the issue. ICC Chair Daniel reported she had conducted constructive consultations with China and the EU, and had produced a draft compromise text on procedures and mechanisms on compliance (Annex II to document UNEP/POPS/COP.6/29).

China called for “collective responsibility” for compliance with every provision, including financial arrangements and technology transfer. Japan said they could not support text indicating developed countries have “an obligation” to provide financial and technical assistance, but that they are willing to provide assistance.

The EU, supported by Switzerland and New Zealand, reminded parties that the SC specifies the establishment of a compliance mechanism and said that, given the adoption of a compliance mechanism in the Minamata Convention and the UNEP decision on an integrated approach to financing for chemicals and wastes, “no delay is necessary.” India questioned reference to the compliance mechanism in the Minamata Convention text, given its different objective.

CIEL underscored the need for a compliance mechanism, and said that non-compliance is a matter of “life or death” for peoples of the Arctic.

A contact group on Compliance and Legal Matters, co-chaired by Jimena Nieto (Colombia) and Anne Daniel (Canada), was established.

STOCKHOLM CONVENTION COP6

SC COP6 opened briefly on Sunday, 28 April, to adopt the agenda (UNEP/POPS/COP.6/1 and 1/Add.1), and continued on Tuesday, 30 April, Wednesday, 1 May and Thursday, 2 May, chaired by SC COP6 President Osvaldo Álvarez (Chile). SC COP6 reconvened briefly on Thursday and Friday, 9-10 May, to adopt outstanding decisions.

ORGANIZATIONAL MATTERS: Election of Officers: On Tuesday, 30 April, the Joint Secretariat introduced the document (UNEP/POPS/COP.6/2) for the election of ten Bureau members and noted the proposed budget (UNEP/FAO/CHW/RC/POPS/EXCOPS.2/3) provides for five Bureau members. President Álvarez then introduced a proposal by the Executive Secretary contained in the 2014-2015 budget to amend rule 22 of the Rules of Procedure to reduce the number of Vice Presidents from nine to four. The EU, Poland, on behalf of the Central and Eastern European region, and Morocco, on behalf of the African Group, supported the proposal. Mexico, on behalf of GRULAC, Qatar, on behalf of the Asia-Pacific Group, and Iraq, on behalf of the Arab Group, opposed the proposal.

Switzerland supported the proposal and offered a compromise solution to address concerns, consisting of a five-member Bureau with the option, as occurs in the BC, of holding extended Bureau meetings. President Álvarez suggested the Executive Secretary develop another “innovative solution” during the intersessional period and present a new proposal at the next COP.

On Friday, 10 May, the COP elected a ten-member COP7 Bureau, with two from each regional group: Johanna Lissinger Peitz (Sweden) as President; Modibo Diallo (Mali), Vusumuzi Simelane (Swaziland), Kyunghye Choi (Republic of Korea), Vaitoti Tupa (Cook Islands), Elena Dumitru (Romania), Tatjana Markov-Milinković (Serbia), Luis Vayas-Valdivieso (Ecuador), Nalini Sooklal (Trinidad and Tobago) and Andrew McNea (Australia) as Vice Presidents. Vayas and Sooklal will serve as rapporteurs.

Final Decision: In the decision (UNEP/POPS/COP.6/CRP.25), the COP decides that five members of the Bureau may participate in the Joint Bureau meetings of the COPs, with due regard to equitable geographical representation of the UN’s five regions.

Election of Experts: On Friday, 10 May, the SC COP approved the nominations to the POPRC of regionally nominated experts, including: for Africa, Mantoa Sekota (Lesotho), Hubert Binga (Gabon), Sidi Ould Aloueioumine (Mauritania), Ousmane Sow (Senegal); for Asia-Pacific, Said Ali Issa Al-Zadjali (Oman), Zaigham Abbas (Pakistan), Jayakody Sumith (Sri Lanka), Seyed Jamaledin Shahtaheri (Iran); for Central and Eastern European States, Pavel Cupr (Czech Republic), Tamara Kukharchyk (Belarus); and for Western European and other States, Ingrid Hauzenberger (Austria), Maria Delvin (Sweden), Jack Holland (Australia), Michelle Kivi (Canada); and for GRULAC,

representatives to be named from Ecuador, Venezuela, and Saint Vincent and the Grenadines.

Organization of Work: On Tuesday, 30 April, the Joint Secretariat noted the organization of work is contained in the ExCOPs2 documents (UNEP/FAO/CHW/RC/POPS/EXCOPS.2/INF/1/Rev.1 and INF/2/Rev.1), with updates posted online.

Report on the Credentials of Representatives at COP6: On Tuesday, 30 April, the Joint Secretariat introduced the relevant documents (UNEP/POPS/COP.6/1/Add.1 and UNEP/FAO/CHW/RC/POPS/EXCOPS.2/INF/15) and asked parties to submit their credentials. On Thursday, 2 May, President Álvarez noted that nine additional parties that had submitted copies of their credentials would be provisionally accepted as participants in decision-making. The Joint Secretariat reported that of the 162 parties present: 141 had submitted credentials or copies thereof; 18 had submitted insufficient documentation; and three did not submit credentials.

In response, Mexico objected to the decision to exclude from decision-making those parties that had not yet submitted credentials, saying they should be able to participate on a provisional basis.

The Joint Secretariat explained that the RoP allow all parties to participate provisionally until the Bureau reviews credentials and makes its report, and that only accredited parties may take decisions. Mexico said it would participate as a provisional delegation and rejected any future written reference to its status as being that of an observer. Supported by Brazil, Mexico also said credentials should be accepted until the moment of definitive decision-making and said they would not “take note” of the Bureau’s report. Excessively restrictive application of the Rules of Procedure would inhibit the presence of high-level representatives, and close the door on any “spirit of synergies.”

President Álvarez clarified that the decisions taken in the plenary session would be “definitively,” as opposed to “virtually,” adopted.

After reviewing Rule 16, President Álvarez said without agreement on the Bureau’s report, he would have to assume that every party is attending provisionally, and that no final decisions could be taken; and SC COP6 would “virtually” adopt some of the outstanding decisions. China suggested countries submit credentials within two weeks of the meeting’s closure, and said taking only provisional decisions would be a “big loss” for SC COP6.

A compromise on credentials was eventually reached (see page 3).

RULES OF PROCEDURE FOR THE COP: On Tuesday, 30 April, the Joint Secretariat introduced the document (UNEP/POPS/COP.6/3), and the COP agreed to defer a formal decision on this matter to COP7 and, in the interim, continue decision-making by consensus.

MATTERS RELATED TO THE IMPLEMENTATION OF THE CONVENTION

MEASURES TO REDUCE OR ELIMINATE RELEASES FROM INTENTIONAL PRODUCTION AND USE: DDT: On Wednesday, 1 May, the Secretariat introduced the relevant documents (UNEP/POPS/COP.6/4, INF/2, INF/3 and INF/10), noting that, as requested by decision SC-5/6, leadership of the DDT Global Alliance was transferred from the SC Secretariat to

UNEP Chemicals. Tim Kasten, UNEP Chemicals, reviewed the activities undertaken by the Global Alliance.

The African Group introduced a draft on DDT alternatives, target and road map for catalyzing and expediting progress in the development, deployment and evaluation of alternatives to DDT in malaria vector control (UNEP/POPS/COP.6/CRP.7), and, supported by Switzerland, called on the SC to fully fund the Global Alliance. Norway queried the differences between the road map and existing work of the DDT Expert Group.

On Thursday, delegates considered a revised CRP (SC CRP.14). There were some concerns from: the EU over its preference to focus on the development of alternatives, as opposed to DDT sound management; and India over the 2025 target date for DDT alternatives. Parties consulted in the margins, and on Thursday, 9 May, SC COP6 adopted a compromise draft decision omitting the 2025 target.

Final Decision: In the decision (UNEP/POPS/COP.6/CRP.20), SC COP6, *inter alia*:

- concludes that countries relying on DDT for disease vector control may need to continue such use of DDT until locally safe, effective, affordable and environmentally sound alternatives are available;
- decides to evaluate the continued need for DDT for disease vector control on the basis of available scientific, technical, environmental and economic information, with the objective of accelerating the identification and development of locally appropriate, cost-effective and safe alternatives;
- requests the DDT Expert Group to undertake an assessment of the continued need for DDT for disease vector control on the basis of factual information provided by parties and observers;
- invites UNEP, in consultation with the World Health Organization (WHO), the DDT expert group and the Secretariat, to prepare a road map for the development of alternatives to DDT, for presentation to SC COP7; and
- invites donors, in malaria control programmes: to prioritize the development, deployment and evaluation of locally safe, effective, affordable and environmentally sound alternatives to DDT for malaria vector control, including non-chemical alternatives, and to ensure funding for DDT indoor residual spraying includes activities for the sound management of DDT.

Exemptions: On Wednesday in plenary, the Joint Secretariat introduced the documents (UNEP/POPS/COP.6/5, 6, 7, INF/4/Rev.1 and INF/7), on, respectively: the registers of specific exemptions and of acceptable purposes; the process for evaluation of progress towards eliminating brominated diphenyl ethers (BDEs) and review of the continued need for specific exemptions; and the evaluation of the continued need for PFOS, its salts and PFOSF.

Mexico supported the proposals related to exemptions. The EU, Norway, Japan and Canada supported the proposed processes and formats, but had additional suggestions and requested further work. The need for financial and technical assistance was emphasized by the Philippines, for obligations on PFOS, and by Iraq, for the Arab Group, for BDE identification and elimination. IPEN and Alaska Community Action on Toxics urged the elimination of exemptions.

The contact group on Listing of Chemicals, and on New POPs, co-chaired by Bjorn Hansen (EU) and Azhari Abdelbagi (Sudan), addressed the PFOS and BDE issues on Wednesday. Co-Chair Hansen reported the contact group outcomes on PFOS, its salts and PFOSF in plenary on Thursday, 2 May, including reminding parties needing exemptions to notify the Secretariat and indicating a revised deadline for the report on assessment.

On Thursday, 9 May, delegates formally adopted the decision. **Final Decision:** In the decision (UNEP/POPS/COP.6/CRP.10), the COP, *inter alia*:

- adopts the process to enable the COP to undertake the evaluation of PFOS, its salts and PFOSF;
- notes that the format adopted by the decision on reporting under Article 15 includes a section for reporting by parties that use or produce PFOS, its salts and PFOSF on the progress made in eliminating those chemicals; and
- requests the POPRC to prepare a report on the assessment of alternatives to PFOS, its salts and PFOSF to assist the COP to undertake the evaluation of the continued need for PFOS, its salts and PFOSF, at COP7.

The decision also requests the Secretariat to, *inter alia*:

- carry out data collection and analysis for the evaluation of PFOS, its salts and PFOSF;
- assess the gaps in the information provided in the evaluation of PFOS, its salts and PFOSF; and
- support parties in undertaking activities to collect and submit information required for the evaluation of PFOS, its salts and PFOSF.

In plenary on Friday, President Álvarez introduced two revised draft decisions on BDEs (SC CRP.11 and SC CRP.21). He said the two CRPs could be harmonized by adopting SC CRP.21 and merging it with SC CRP.11, and the COP agreed. After adding to SC CRP.11 a paragraph establishing an intersessional working group, COP6 adopted SC CRP.11, as amended by SC CRP.21. SC CRP.21, *inter alia*, removes a paragraph on adopting the format for the submission of information for the evaluation and review of BDEs.

Final Decision: In the decision (UNEP/POPS/COP.6/CRP.11), as amended by (UNEP/POPS/COP.6/CRP.21), the COP, *inter alia*:

- concludes that countries may still need to make use of the exemption for BDEs;
- adopts the process to enable the COP to evaluate the progress that parties have made towards achieving their ultimate objective of elimination of BDEs listed in Annex A to the Convention and to review the continued need for the specific exemption for those chemicals;
- decides to establish a small intersessional working group, operating by electronic means, to review and revise the draft format for the submission of information for the evaluation and review of BDEs, invites parties to nominate experts to participate in this group, and requests the Secretariat to support this group;
- invites parties to consider serving as lead country for the review and revision of the reporting format, and to submit suggestions on revising the reporting format to the Secretariat; and

- reminds any party that has a need for the specific exemption for BDEs listed in Annex A to the Stockholm Convention to register by means of a notification in writing to the Secretariat.

The decision also requests the Secretariat to, *inter alia*:

- carry out the activities of data collection and analysis for the process of evaluation and review of BDEs;
- assess the gaps in the information provided in the evaluation and review of BDEs; and
- support parties in undertaking activities to collect and submit information required for the process.

Evaluation of the continued need for the procedure under paragraph 2(b) of Article 3: On Wednesday, 1 May 2013, the Joint Secretariat introduced the relevant document (UNEP/POPS/COP.6/8).

Delegates considered the continued need for the procedure under paragraph 2(b) of Article 3, which provides that circumstances for which export of chemicals listed in Annex A to the SC for which any production or use-specific exemption is in effect or chemicals listed in Annex B for which any production or use-specific exemption or acceptable purpose are permitted.

Relaying experience with certification submission, Japan proposed the Secretariat make certificates received after COP6 available on its website. With this amendment, on Thursday, 9 May, delegates formally adopted the decision.

Final Decision: The decision (UNEP/POPS/COP.6/8) contains an annex reflecting, *inter alia*, the procedure under paragraph 2(b) of Article 3; information on the status of notifications in the Register of Specific Exemptions and Registers of Acceptable Purposes; and information reported by parties on exports of chemicals listed in Annex A or B.

The COP, *inter alia*:

- adopts the template for the certification of non-party imports and invites parties to use it when exporting chemicals listed in Annex A or B to non-parties to the Convention;
- reminds parties submitting their third round of national reports to include in their reports information on their export, if any, of chemicals listed in Annexes A and B, and to provide as much information as is practicable regarding importing states and the purposes for which chemicals are exported;
- requests the Secretariat to prepare a report on the continued need for the procedure set out in paragraph 2(b) of Article 3, based on party reports submitted pursuant to Article 15, certifications from exporting parties and other relevant information, for consideration at COP7; and
- decides to evaluate further the continued need for the procedure set out in paragraph 2(b) of Article 3 at COP7.

PCBs: On Wednesday, 1 May, COP6 considered a document on the PCBs Elimination Network (PEN), including a draft decision (UNEP/POPS/COP.6/9) requesting, *inter alia*, the Joint Secretariat to prepare a progress report on PCB elimination.

The Joint Secretariat reported that the leadership of PEN had been successfully transferred to UNEP Chemicals. UNEP Chemicals invited parties to contribute funds to the PEN.

The EU encouraged parties to provide resources to PEN and, with the Philippines, supported the draft decision. Lebanon, on behalf of the Arab Group, and supported by Bahrain, supported

adoption of the decision but said financial resources are necessary to eliminate PCBs.

On Thursday, 9 May, delegates formally adopted the decision.

Final Decision: In the decision (UNEP/POPS/COP.6/9), the COP, *inter alia*:

- encourages parties to provide information on progress in eliminating PCBs in their third national reports;
- requests the Secretariat to prepare a report for evaluation at COP7 on progress towards the elimination of PCBs, on the basis of the third national reports to be submitted by parties, and to continue to participate in the activities of the network;
- welcomes the decision by UNEP to accept the leadership of the network and appreciates the collaboration extended for the sustainable transition of the leadership;
- takes note of the report by UNEP Chemicals on the progress of implementation of the network, and invites UNEP Chemicals to inform COP7 on the activities of the network; and
- invites governments, IGOs and NGOs, research institutions, industry bodies and other stakeholders to provide technical and financial resources to support the work of network.

BDEs and PFOS, its salts and PFOSE: On Tuesday, 30 April, the Joint Secretariat introduced documents on the work programme (UNEP/POPS/COP.6/10 and INF/7). Norway urged parties to take a “stronger decision,” including stopping using PFOS for several applications. Japan raised concern over identifying a possible POP before a detailed review. The EU encouraged parties to submit information on their experiences in implementing PFOS decisions. Mexico requested more information on, *inter alia*, the consumer sectors, volume consumed and emissions.

On Wednesday, 1 May, the matter was discussed in the Listing of Chemicals, and on New POPs Contact Group. On Thursday, in plenary, Co-Chair Hansen outlined the group’s changes to the draft decision, reflected in UNEP/POPS/COP.6/CRP.12.

On Thursday, 9 May, delegates formally adopted the decision.

Final Decision: In the decision (UNEP/POPS/COP.6/CRP.12), the COP, *inter alia*:

- takes note of the information provided by parties, and invites parties that have not yet done so to submit information on their experiences in implementing the recommendations from POPRC6;
- requests the Secretariat to support parties in undertaking activities to collect and submit such information within available resources and to prepare a report and, based on the information received, highlighting challenges that may be encountered by parties in implementing the recommendations for consideration by COP7; and
- decides that the information received, where relevant, should also be taken into consideration in the evaluation by the COP of: the progress that parties have made towards eliminating BDEs and the review of the continued need for the specific exemption for those chemicals; and the continued need for PFOS, its salts and PFOSE for the various acceptable purposes and specific exemptions.

In the decision, the COP takes note of the recommendations of the POPRC and, based on those recommendations, among other things:

- encourages parties and observers to implement, where appropriate, the recommendations that pertain to them;
- encourages parties to consider stopping their use of PFOS, its salts and PFOSF and related chemicals for the applications where safer alternatives have been identified and are commercially available, including fire-fighting foams and insecticides for the control of red imported fire ants and termites;
- invites parties that still use PFOS, its salts and PFOSF and their related chemicals for the control of leaf-cutting ants from *Atta* spp. and *Acromyrmex* spp. to undertake studies, including pilot projects, on the feasibility of using alternatives to PFOS, its salts and PFOSF and their related chemicals within an integrated pest management approach;
- requests the POPRC to, *inter alia*, revise the guidance on, and further evaluate alternatives to, PFOS, its salts and PFOSF and their related chemicals; and
- requests the Secretariat to broadly disseminate the information contained in the POPRC technical paper and, subject to the availability of resources, further promote the exchange of information on alternatives to PFOS, its salts and PFOSF and their related chemicals.

Endosulfan: On Tuesday, 30 April, the Joint Secretariat introduced the work programme on endosulfan (UNEP/POPS/COP.6/11, INF/14, INF/15, INF/28 and INF/29).

India, China and Canada raised concerns that the draft decision encourages parties to avoid using dicofol prior to review, and requests the POPRC to assess nine additional chemicals that “might meet” Annex D criteria prior to nomination by a party. The EU noted that of the over 100 chemicals assessed, the majority did not meet criteria for persistence or bioaccumulation.

POPRC Chair Reiner Arndt (Germany) clarified that the report does not say that these alternatives are POPs.

On Thursday Co-Chair Hansen highlighted the introduction of a paragraph requesting the Secretariat to undertake activities to support parties in evaluating information on alternatives to endosulfan.

On Thursday, 9 May, delegates formally adopted the decision.

Final Decision: In the decision (UNEP/POPS/COP.6/CRP.9), SC COP6, *inter alia*:

- takes note of the reports on the assessment of chemical and non-chemical alternatives to endosulfan carried out by POPRC;
- encourages parties to consider assessment outcomes when choosing alternatives to endosulfan for the use of crop pest complexes; and
- requests the Secretariat to undertake activities to support parties in evaluating the information on alternatives to the use of endosulfan in their countries.

MEASURES TO REDUCE OR ELIMINATE RELEASES FROM UNINTENTIONAL PRODUCTION: Delegates considered this item on Wednesday, 1 May and Friday, 3 May, in two parts: on the review and updating of the Standardized Toolkit (UNEP/POPS/COP.6/13) and on issues relevant to the guidelines on Best Available Techniques (BAT) and Best Environmental Practices (BEP) (UNEP/POPS/COP.6/CRP.8).

On the **Toolkit**, the Philippines and the EU expressed support. Guinea stressed that although incineration coefficients assume controlled temperatures, this is not always the case for combustion in the African region. Kenya said open burning as a key source of POPs in Africa must be confirmed, and proposed minor amendments to the decision on the development of training materials. On Thursday, 9 May, parties formally adopted the amended decision.

Final Decision: In its decision (UNEP/POPS/COP.6/13), the COP, *inter alia*:

- takes note of the reports of the Toolkit expert meetings;
- encourages parties to use the revised Toolkit, taking in account the conclusions and recommendations of the Toolkit experts when developing source inventories and release estimates and reporting estimate releases, and provide comments on their experience to the Secretariat;
- requests the Toolkit experts to contribute to the development of a training programme on the revised Toolkit and requests the Secretariat to organize, within available resources, awareness raising and training activities on the revised Toolkit;
- also requests the Toolkit experts to prepare a preliminary analysis of the information on unintentional releases of POPs provided through national reports in view of the evaluation of the effectiveness of the Convention.

On **BAT/BEP** (UNEP/POPS/COP.6/CRP.8), Canada proposed changes including omitting the paragraph on the assessment of technologies, and said the SC should not develop guidance for work occurring under the BC. On Thursday, 9 May, the COP formally adopted the decision.

Final Decision: In its decision (UNEP/POPS/COP.6/CRP.8/Rev.1): the COP, *inter alia*,

- invites parties to nominate experts with specific expertise in BAT and BEP, in particular those relevant to the chemicals listed in the annexes of the SC in 2009 and 2011, to the joint Toolkit and BAT and BEP expert roster;
- requests the Secretariat to support the expert group and to implement awareness-raising and technical assistance to promote the guidelines and guidance;
- requests the Secretariat to forward the waste-related content of the draft BAT/BEP guidance for the use of PFOS and its related chemicals listed under the SC and the draft BAT/BEP guidance for the recycling and waste disposal of articles containing pentabromodiphenyl ether (PBDEs) listed under the SC to the appropriate bodies of the Basel Convention;
- invites the BC COP to: take the draft guidance documents into account when updating the general technical guidelines and the preparation or updating of specific technical guidelines on POPs; and to review the waste-related aspects of these draft guidance documents and forward the outcome to the Stockholm Secretariat by 31 October, 2014;
- requests the Secretariat to: facilitate revision of the draft guidance documents based on comments received from the BC; invite detailed comments from parties by 30 September 2013; integrate parties' comments into the draft guidance by 31 March 2014; circulate for further comments by 31 October 2014; and integrate parties' comments and submit the revised draft guidance to COP7; and

- invites experts of the BC to participate in the assessment of technologies for the destruction and irreversible transformation of POPs, taking into consideration existing guidance (e.g., technical guidelines under the BC).

MEASURES TO REDUCE OR ELIMINATE RELEASES FROM WASTES: This issue was introduced in the simultaneous ordinary meeting, on Monday, 29 April. It was then taken up in the Listing of Chemicals, and on New POPs Contact Group, and SC COP6 considered a revised draft decision in plenary on Friday, 3 May. (See page 10 for a summary of discussions during the simultaneous ordinary meetings.)

On Monday, along with documents on the BC, the Joint Secretariat introduced the relevant SC documents (UNEP/POPS/COP.6/14 and INF/7), on measures to reduce or eliminate releases from wastes.

On Friday in plenary, President Álvarez introduced the revised draft decision (UNEP/POPS/COP.6/CRP.18), a submission by the SC President containing two additional paragraphs to UNEP/POPS/COP.6/14, inviting the BC to carry out work related to HBCD. SC COP6 adopted the draft decisions.

Final Decisions: In the first decision (UNEP/POPS/COP.6/14), the COP, *inter alia*,

- takes note of the work undertaken under the BC to update the technical guidelines for the ESM of wastes consisting of, containing or contaminated with POPs;
- invites the BC COP to keep the SC COP informed regarding the outcomes of the work;
- invites experts working under the SC, who are not already doing so, to participate in the work under the BC on updating the technical guidelines for the ESM of POPs wastes;
- requests the Secretariat, upon request and subject to the availability of resources, to continue to support parties in the implementation of measures to reduce or eliminate releases from stockpiles and wastes, including in relation to the chemicals newly listed in Annexes A, B and C to the Convention; and
- invites parties and observers in a position to do so to provide financial support for the activities of the Secretariat to support parties on this work.

The second decision (UNEP/POPS/COP.6/CRP.18) contains additional paragraphs to UNEP/POPS/COP.6/14, which invite the appropriate bodies of the Basel Convention, with regard to HBCD, to:

- establish the levels of destruction and irreversible transformation for this chemical necessary to ensure that the characteristics of POPs, as specified in paragraph 1 of Annex D to the Stockholm Convention, are not exhibited;
- determine what they consider to be the methods that constitute environmentally sound disposal;
- work to establish, as appropriate, the concentration levels of this chemical in order to define the low-POPs content; and
- update, if needed, the general technical guidelines for the ESM of waste consisting of, containing or contaminated with POPs and to prepare or update specific technical guidelines developed under the Basel Convention.

The decision also invites the BC COP to consider the involvement in this work of experts working under the SC, including members and observers of the POPRC.

NATIONAL IMPLEMENTATION PLANS (NIPs): On Tuesday, 30 April, the Joint Secretariat introduced information documents on NIPs (UNEP/POPS/COP.6/15, INF/13, INF/14 and INF/15). The EU highlighted the importance of developing and updating NIPs. Noting that large numbers of countries had not completed or updated the NIPs, several developing countries requested financial and technical assistance to enable them to do so and other developing countries highlighted the capacity challenges in implementing NIPs. Some developing countries reported they had completed their NIPs. Swaziland and Sudan noted they received GEF funding to update their NIPs, and Barbados said it would seek GEF funding.

The Seychelles urged the Secretariat to address the issue of high co-financing ratios. Lebanon, for the Arab Group, said GEF quotas assigned to countries must be reconsidered. Canada, supported by Australia, highlighted the need to develop new guidance, and suggested some amendments to the document on NIPs (UNEP/POPS/COP.6/15).

President Álvarez invited Canada and Australia to submit their amendments, and suggested parties' financing concerns be relayed to the Technical Assistance and Financial Resources Contact Group.

On Friday, 3 May, President Álvarez introduced Canada's amended draft, (UNEP/POPS/COP.6/CRP.3/Rev.1), with language from Norway on labeling of products or articles containing POPs, which SC COP6 adopted.

Final Decision: In its final decision on NIPs under Article 7 (UNEP/POPS/COP.6/CRP.3/Rev.1), the COP, *inter alia*:

- welcomes the additional NIPs transmitted by parties, including the revised and updated plans and encourages parties for whom deadlines for transmitting their NIPs have passed to transmit their plans as soon as possible;
- takes note of the report of the feasibility of parties, in particular developing country parties, parties with economies in transition and SIDS, to revise and update their NIPs with information relating to newly listed POPs, and recommendations on how to assist them with encountered difficulties;
- encourages parties to use the following guidance documents: guidance for developing a NIP; draft guidance on socio-economic assessment for NIPs; guidance on calculation of action plan costs; draft guidances for the inventory of PFOS and related chemicals and PBDEs; and draft guidance for the import for the control of the import and export of POPs; and
- invites the Basel COP to take the draft guidances on PBDEs and import and export of POPs into account when updating general technical guidelines and the preparation or updating of specific technical guidelines on POPs; and to review the waste related aspects of these draft guidance documents.

LISTING OF CHEMICALS IN ANNEX A, B OR C TO THE CONVENTION: On Tuesday – Thursday, 30 April - 2 May, COP6 considered POPRC developments for action by the COP, including: listing of HBCD in Annex A with specific exemptions for production and use in expanded and extruded polystyrene (EPS and XPS) in buildings (UNEP/POPS/COP.6/16 and 17); rotation of membership (UNEP/POPS/COP.6/16 and EXCOPS.2/INF/17); and cooperation with the RC CRC (EXCOPS.2/INF/17).

POPRC Chair Arndt reported on POPRC's work, noting, *inter alia*, its ongoing review of four substances, and his retirement as Chair after POPRC9. President Álvarez thanked Arndt for his leadership of the POPRC since its inception and, noting that no nominations for the next POPRC Chair have been received, suggested asking the POPRC to identify an interim Chair for POPRC10, to be confirmed at COP7.

On collaboration between the POPRC and CRC, the EU supported back-to-back meetings. GRULAC emphasized that collaboration should involve information exchange, and China suggested holding a joint one-day session. Norway and the EU suggested the committees should discuss procedural issues and synergies, and China cautioned that these issues exceed their mandates.

On Friday, 10 May, SC COP6 adopted the decision in UNEP/POPS/COP.6/16 with two amendments: the POPRC would elect an interim Chair for confirmation at COP7, and collaboration in a possible joint session would consist of a one-day scientific information exchange with outcomes to be reported to SC COP7.

Final Decision: In the final decision (UNEP/POPS/COP.6/16), the COP, *inter alia*:

- welcomes the reports of POPRC7 and POPRC8;
- appoints the newly designated experts to serve as POPRC members;
- adopts the list of parties to be invited to nominate members for terms commencing on 5 May 2014;
- takes note of the workplans adopted by POPRC and of the decision of the POPRC and CRC bureaus to hold back-to-back meetings and a joint session;
- requests the Secretariat to continue the activities listed in POPRC decision 8/12 to assist developing country parties or parties with economies in transition with effective participation in POPRC's work; and
- invites parties and observers to contribute to POPRC's work and to provide financial support for implementation of activities to support effective participation of parties in that work.

The decision contains an annex with a list of parties identified by COP6 to nominate members of the POPRC, whose terms of office commence on 5 May 2014.

HBCD: On Tuesday, the Joint Secretariat introduced the POPRC's recommendation to list HBCD with specific exemptions for production and use in EPS and XPS in buildings. Norway supported listing HBCD in Annex A without exemptions, noting that the use of EPS and XPS in buildings constitutes 80-90% of global demand. The Philippines and Nigeria expressed support "in principle" for Norway's proposal, highlighting the need for financial support.

Alaska Community Action on Toxics, with the Global Indigenous Peoples Caucus, supported listing HBCD in Annex A without exemptions, underscoring the "severe and lasting impacts" of POPs on indigenous and northern communities. Also supporting the listing with no exemptions, IPEN added that exemptions for recycling of POPs are "dangerous" and "violate" the Stockholm Convention.

Australia and New Zealand supported listing HBCD in Annex A with exemptions and, with China, noted that alternatives may not be available in sufficient quantities. The Republic of Korea,

with Japan, the EU, Switzerland and Canada, supported listing HBCD in Annex A with specific five-year exemptions for EPS and XPS in buildings. The EU noted the need to identify wastes containing HBCD.

Jordan said exemptions should not exceed COP8. Cuba, Uganda, South Africa and Nigeria emphasized that a heavier compliance burden increases the need for financial and technical assistance. Niger added that assistance is needed to determine the scale of use in his country.

Noting that it could not yet support listing, Venezuela called for additional information from industry. Iraq, on behalf of the Arab Group, supported the proposal to include HBCD in Annex A, and called for additional information on its use.

Noting general agreement to list HBCD, President Álvarez proposed establishing a contact group to draft a decision on HBCD, taking into consideration additional proposals submitted by Norway and the EU (UNEP/FAO/CHW/RC/POPS/EXCOPS.2/CRP.2 and CRP.3), and the COP agreed. The Contact Group on Listing of Chemicals, and on New POPs, co-chaired by Bjorn Hansen (EU) and Azhari Abdelbagi (Sudan), met on Tuesday and Wednesday.

On Thursday, the Joint Secretariat introduced the draft decision on the listing of HBCD (UNEP/POPS/COP.6/CRP.17). The African Group supported the proposed text.

Canada suggested replacing a reference to "material" with "article" and removing a reference to Article 4 on exemptions. The Joint Secretariat clarified that the paragraph sets the length of the exemption, as per Article 4, and Canada said the wording could weaken Article 4. China suggested changing "take necessary measures" to "take possible measures" to identify HBCD. Co-Chair Hansen, supported by Norway, clarified that "material" referred to EPS and XPS, as in the chapeau, and that "take necessary measures" is from Article 3 of the Convention.

Mexico, on behalf of GRULAC, and supported by Cuba, underscored concerns over adding POPs without adequate technical and financial assistance. Later in the evening, Canada presented the amended decision to plenary, highlighting inclusion of references to Article 4 and EPS and XPS.

On Thursday, 9 May, the COP formally adopted the draft decision as amended.

Final Decision: In the decision (UNEP/POPS/COP.6/CRP.17), the COP, *inter alia*:

- decides to amend part I of Annex A to the Stockholm Convention to list HBCD with specific exemptions for production and use as allowed for the parties listed in the register of specific exemptions for production and use in EPS and XPS in buildings;
- decides to insert a definition for HBCD in part III of Annex A; and
- decides to insert a new part VII in Annex A specifying that each party registered for the exemption shall take necessary measures to ensure that material containing HBCD can be easily identified by labeling or other means throughout its life-cycle.

TECHNICAL ASSISTANCE: This item was discussed in simultaneous ordinary sessions, on Sunday, 28 April, and was subsequently taken up in a contact group on technical assistance

and financial resources that met daily from 29 April to 10 May. (See page 9.)

On Thursday, 2 May, the Joint Secretariat introduced the draft decision on technical assistance (UNEP/POPS/COP.6/CRP.15). Mohammed Khashashneh (Jordan), Co-Chair for the Technical Assistance and Financial Resources Contact Group, noted that repetitive text in one paragraph should be deleted. With that amendment, the decision was adopted on Thursday, 9 May.

Final Decision: In its decision (UNEP/POPS/COP.6/CRP.15), the COP, *inter alia*:

- invites developing-country parties and parties with economies in transition to continue to provide information to the Secretariat on their needs in terms of technical assistance and technology transfer and the barriers and obstacles in that regard;
- invites developed-country parties and others with the capacity to do so to continue to provide information to the Secretariat on the technical assistance and technologies available to be transferred to developing-country parties and parties with economies in transition;
- encourages parties and relevant international and NGOs, including regional centres, to provide to the Secretariat, by 31 May 2014, information on their experiences in implementing the guidance on technical assistance and transfer of sound technologies;
- underscores the important role to be played by the SC regional and subregional centres in delivering technical assistance, at a regional level, regarding the implementation of the technical assistance programmes and facilitating technology transfer at the regional level;
- requests the Secretariat to prepare a report for consideration at COP7 concerning: the application of the guidance taking into account the needs of parties in NIPs, national reports and technical assistance and technology transfer; progress in implementation its technical assistance programme; and means to address the obstacles and barriers to technology transfer; and,
- requests the Secretariat to prepare a technical assistance programme for the biennium 2016-2017 based on the information collected and taking into account the synergies process.

Regional and subregional centres: This issue was introduced in the simultaneous ordinary meetings, on Sunday, 28 April, for both the Stockholm and Basel conventions (UNEP/CHW.11/5 and Add.1, and UNEP/POPS/COP.6/19 and 19/Add.1). It was then taken up in the Technical Assistance and Financial Resources Contact Group. SC COP6 considered a revised draft decision in plenary on Thursday, 2 May. (See page 9.)

On Thursday, in plenary, the Joint Secretariat introduced the revised draft decision (UNEP/POPS/COP.6/CRP.16) on regional and subregional centres, and Contact Group Co-Chair Khashashneh added two amendments: to change SC COP8 to SC COP6 in Annex I, which is a list of centres reviewed by the COP; and to make clear that in Annex II the COP endorses one new regional centre (Basel Convention Regional Centre for Training and Technology Transfer for South-East Asia, Indonesia).

On Thursday, 9 May, the COP formally adopted the amended decision.

Final Decision: In the decision (UNEP/POPS/COP.6/CRP.16), which contains two annexes, the COP, *inter alia*:

- requests the SC regional and subregional centres to submit to the Secretariat: their workplans for 2014-2015, by 30 September 2013; and their activity reports for January 2013 – December 2014, by 31 December 2014;
- adopts methodology for evaluating the regional centres, which includes a quantitative analysis for evaluating the performance and sustainability of each centre, to be undertaken every four years;
- notes that it has evaluated the performance and sustainability of SC regional and subregional centres;
- endorses for two years: the SC regional and subregional centres for capacity building and the transfer of technology listed in Annex I, and decides to reconsider their status as regional or subregional centres under the SC at COP7; and the nominated SC centre listed in Annex II as an SC regional or subregional centre for capacity building and the transfer of technology;
- decides to, at COP7, evaluate the performance and sustainability, and reconsider the status as an SC regional and subregional centre for capacity building and the transfer of technology, of the centre listed in Annex II;
- requests the Secretariat to prepare, for consideration at COP7, a draft evaluation report of the regional centres listed in the annexes of this decision, based on the methodology adopted by this decision;
- invites parties and observers and other financial institutions in a position to do so to provide financial support to enable regional centres to implement their workplans; and
- takes note of the challenges faced by some regional centres, and invites parties, as well as other regional centres, in a position to do so, to cooperate with and support regional centres through exchange of best practices as well as through facilitating means of implementation.

FINANCIAL RESOURCES: This item was discussed in the simultaneous ordinary sessions, on Monday, 29 April, and was subsequently taken up in the Technical Assistance and Financial Resources Contact Group (See page 9.)

On Thursday, 2 May, the Joint Secretariat introduced the draft decision, and on Thursday, 9 May, the COP formally adopted the decision.

Final Decision: In the decision (UNEP/POPS/COP.6/CRP.19), the COP, *inter alia*,

- reaffirms the guidance to the financial mechanism, and the additional guidance;
- requests the entities entrusted with the financial mechanism of the SC, to continue to support eligible parties to the SC in their efforts to develop a plan for the implementation of their obligations under the SC and to review and update, as appropriate, this implementation plan on a periodic basis;
- requests the entities entrusted with the financial mechanism to continue to consider in their programming of areas of work for the forthcoming two bienniums, from 2014 – 2017, the priority areas, including: elimination of the use of PCBs in equipment by 2025; ESM of liquids containing PCBs and

equipment contaminated with PCBs, having a PCB content above 0.005%, as soon as possible and no later than 2028; elimination or restriction of the production and use of newly listed POPs; elimination of the production and use of DDT, except for parties that notified their intention to produce and/or use it;

- requests the GEF to, *inter alia*: respond to the rapidly evolving chemicals and wastes agenda and the changing needs of developing country parties and parties with economies in transition, including the Small Grants Programme; give support to countries that have not yet received funding for the implementation of activities contained in their NIPs; continue to provide adequate financial resources to activities to implement obligations under the SC, while within its mandate exploring how to mobilize further financial resources for chemicals and wastes; and consider increasing, in the sixth replenishment of the GEF, the overall amount of funding accorded to the chemicals focal area;
- reiterates its request to the GEF, in its support for regional delivery of technical assistance, to give consideration to the proposals that may be developed by the SC regional centres and to prioritize such support to those centres situated in developing countries and countries with economies in transition;
- requests the Secretariat to, *inter alia*: prepare a complete set of guidance on the financial mechanism; transmit the complete set of guidance to the GEF as an input of the COP to the sixth replenishment of the GEF; update the complete set of guidance for consideration by COP8; and communicate to parties the amounts and allocations of the sixth replenishment of the GEF; and
- requests the GEF to include information on the implementation of the consolidated guidance.

REPORTING: This item was discussed in simultaneous ordinary sessions, on Monday, 29 April. (See page 10.)

On Friday, 3 May, President Álvarez introduced the draft decision on national reporting pursuant to Article 15 (UNEP/POPS/COP.6/26 and Add.1 and SC CRP.22). The Joint Secretariat proposed adding to COP.6/26/Add.1 text updating the reporting format to include HBCD, and SC COP6 accepted this insertion. On Thursday, 9 May delegates adopted the decision.

Final Decision: In the decision on reporting (UNEP/POPS/COP.6/26), the COP, *inter alia*:

- adopts the revised reporting format;
- takes note of the progress made by the Secretariat in further improving the online electronic system for reporting based on the updated reporting format;
- encourages parties to use the revised electronic online reporting system when submitting their third national reports pursuant to Article 15 of the Convention, which are to be submitted by 31 August 2014 for consideration by COP7; and
- requests the Secretariat to: further improve the online electronic system for reporting, taking into account possible synergies with the BC, in time for it to be used by parties for the submission of their third national reports pursuant to Article 15; continue to provide guidance to parties on the use of the electronic system for reporting, including through workshops and webinars; and, where appropriate and in a

cost-efficient manner, provide feedback to parties regarding the submission of their reports

EFFECTIVENESS EVALUATION: On Tuesday, 30 April, delegates opened discussion on this agenda item (UNEP/POPS/COP.6/27 and Add.1). The EU highlighted the need to make use of existing data, and said the evaluation should be completed within six months. Kenya, Switzerland, Japan and Morocco supported the framework of the effectiveness evaluation, and Sri Lanka underscored its importance.

IPEN called for measurement of the effectiveness of NIP implementation. Highlighting the environmental and health burden of POPs on indigenous people, Alaska Community Action on Toxics called for a transparent compliance mechanism that could be triggered by, *inter alia*, the public.

Parties then established a Friends of the President group, chaired by Bettina Hitzfeld (Switzerland), to continue negotiations.

On Thursday, 2 April, the Secretariat introduced the draft decision on effectiveness evaluation (UNEP/POPS/COP.6/CRP.13). On Friday, Hitzfeld, on behalf of the Friends of the President group, reviewed changes to the appendix of SC CRP.13 outlining the Terms of Reference for the Effectiveness Evaluation Committee, which included increasing the number of experts designated by parties to the effectiveness evaluation committee from five to 10, and consequently increasing total membership from nine to 14 experts. On Thursday, 9 May, delegates formally adopted the decision.

Final Decision: In the decision (UNEP/POPS/COP.6/CRP.13), the COP, *inter alia*:

- takes note of the comments submitted by parties on the proposed framework for effectiveness evaluation and of the report prepared by the Secretariat on the availability of information outlined in the revised framework for effectiveness evaluation on the use of the elements and indicators set forth therein;
- adopts the revised framework for effectiveness evaluation set out in the annex to the decision;
- recalls the need for parties to step up their efforts to ensure the timely submission of national reports; and
- invites donors to provide financial support to permit further step-by-step capacity enhancement, including strategic partnerships, to enable collection of data listed in the effectiveness evaluation framework.

Global monitoring plan (GMP): Delegates addressed this issue in plenary on Tuesday, 30 April (UNEP/POPS/COP.6/28 and INF/29).

Norway stressed the importance of national reporting and global monitoring, and Japan expressed concern about the submission of data at the national level. India highlighted the importance of capacity building, and Mali, Lebanon and Democratic Republic of Congo requested capacity building and technical assistance for monitoring and analysis activities. China called for technical and financial support to monitor new POPs. Togo and Mali welcomed the extension of its environmental matrices. Kiribati called for the addition of fish to the list of matrices, and IPEN underscored the need to monitor marine gyres containing plastics.

The COP adopted the draft decision on the GMP on Thursday, 9 May.

Final Decision: In the decision (UNEP/POPS/COP.6/28), the COP, *inter alia*:

- welcomes the amended GMP, implementation plan, and updated guidance for POPs, and encourages parties to provide comments on their application to the Secretariat;
- welcomes the compilation of the results of the first phase of the global human milk survey and encourages parties to participate in the second-phase milk survey; and
- requests the Secretariat to: support the implementation of the second phase of the GMP; and to work with partners and other organizations to undertake implementation activities.

NON-COMPLIANCE: This matter was first taken up by the simultaneous ordinary sessions, in the discussion on non-compliance. (See page 10.)

A contact group on Compliance and Other Legal Matters, chaired by Jimena Nieto (Colombia) and Anne Daniel (Canada), was established to continue discussions.

On Tuesday, 7 May, SC COP6 President Álvarez announced the establishment of a Friends of the President group on compliance composed of India, Iran, China, Japan, Zambia, Nigeria, Namibia, Egypt, Brazil, Colombia, the EU, Switzerland, Australia and Norway.

Reporting on that group's work on Friday, 10 May, Anne Daniel said the group had been unable to "break the impasse" on a compliance mechanism for either the RC or SC.

President Álvarez then proposed a "take it or leave it" compromise package (UNEP/POPS/COP.6/CRP.28 and UNEP/FAO/RC/COP.6/CRP.10) designed to "bridge the gap between those who want two triggers and those who want three." Contained in UNEP/POPS/COP.6/CRP.28 (SC compliance) is a proposal for Secretariat action leading to a party-trigger; and a provision for assistance to those in non-compliance. Contained in UNEP/FAO/RC/COP.6/CRP.10 (RC compliance) is a proposal on decision-making in the compliance committee including a last resort three-quarters majority vote; and a proposal for Secretariat action leading to a party-trigger.

Egypt said the proposal would be difficult to accept without, *inter alia*, language reflecting the needs of developing countries. The Russian Federation expressed concern about the Secretariat possibly taking decisions based on information from unknown sources. South Africa opposed the text, saying it interprets the use of the Secretariat as a third trigger built into the mechanism. The EU said a third trigger is key to an effective mechanism.

Addressing parties to the RC, President Álvarez requested those who opposed the text to raise their flag. Among those who did were South Africa, Nigeria, Zambia, Egypt, and Kenya. Kenya, on behalf of the African Group, stated that the proposed text had omitted elements fundamental to compliance, and proposed further intersessional work based on the previous version of the text.

Addressing parties to the SC, President Álvarez requested those who opposed the text to raise their flag. A number of delegations raised their flags, including Egypt, Kenya, South Africa, Nigeria, Zambia, Thailand, the EU, Morocco, Tunisia, Iran and India.

Concluding that the President's compromise proposals under the RC and the SC were rejected, Álvarez proposed, and delegates agreed, to a procedural decision to forward compliance to RC COP7 and to use the outcome of the COP6 contact group on compliance as a basis for their work. The same was agreed for compliance under the SC.

PROGRAMME OF WORK AND ADOPTION OF THE BUDGET: On Friday, 10 May, Gregory Filyk (Canada), Co-Chair of the Synergies and Budget Contact Group, introduced the decision on financing and budget for the biennium 2014-2015 (UNEP/POPS/COP.6/CRP.26/Rev.1 and Add.1). The SC COP adopted the decision without amendment.

Final Decision: In its decision (UNEP/POPS/COP.6/CRP.26/Rev.1), the SC COP, *inter alia*:

- approves the programme budget for the SC for the biennium 2014-2015;
- authorizes the Executive Secretary of the Secretariat of the Stockholm Convention to make commitments in an amount up to the approved operational budget, drawing upon available cash resources;
- welcomes the continued annual contribution of CHF2 million by Switzerland to the Secretariat to offset planned expenditures and notes that CHF1 million will be allocated annually as a contribution to the General Trust Fund and will include Switzerland's assessed contribution and that CHF1 million will be allocated annually to the Voluntary Special Trust Fund;
- adopts the indicative scale of assessments for the apportionment of expenses for the biennium 2014-2015 and authorizes the Executive Secretary to adjust the scale to include all parties for which the Convention enters into force before 1 January 2014 for 2014 and before 1 January 2015 for 2015;
- decides to maintain the working capital reserve at the level of 8.3% of the annual average of the biennial operational budgets for 2014-2015 while recognizing that this issue may need to be discussed further at COP7 in light of the Executive Secretary's report on the MoU;
- notes with concern that a number of parties have not paid their contributions to the operational budgets for 2010 and prior years and urges parties to pay their contributions promptly by or on 1 January of the year to which the contributions apply;
- decides, with regard to contributions due from 1 January 2010 onwards, that no representative of any party whose contributions are in arrears for two or more years shall be eligible to become a member of the Bureau of the COP or any subsidiary body of the COP; this shall not apply to parties that are least developed countries or SIDS or to parties that have agreed on and are respecting a schedule of payments in accordance with the financial rules;
- decides to further consider additional incentives and measures to address arrears in core budget contributions to the Convention in an effective and efficient manner at the next meeting of the COP;
- requests the Secretariat to present options for incentives and measures, including information on those applied under other multilateral environmental agreements to deal with such challenges;

- takes note of the funding estimates to be financed from the Voluntary Special Trust Fund of the Convention for 2015;
- stresses the need to ensure that the Voluntary Special Trust Fund requirement presented in the budget is realistic and represents agreed priorities of all parties so as to encourage contributions from donors;
- decides that the two trust funds for the Convention shall be continued until 31 December 2015, and requests the UNEP Executive Director to extend them for the biennium 2014-2015, subject to the approval of the UNEP Governing Council;
- urges parties, and invites others in a position to do so, to contribute urgently to the Voluntary Special Trust Fund with a view to ensuring the full and effective participation of developing country parties, in particular the least developed countries and SIDS, and parties with economies in transition in the meetings of the COP;
- requests the Executive Secretary further to enhance efficiency in the use of financial and human resources in accordance with the priorities set by the COP and to report on the outcome of their efforts in that regard;
- requests the Executive Secretary to prepare a budget for the biennium 2016-2017 for consideration by COP7;
- notes the need to facilitate priority-setting by providing parties with timely information on the financial consequences of different options and, to that end, requests the Executive Secretary to include in the proposed operational budget for the biennium 2016-2017 two alternative funding scenarios that take account of any efficiencies identified and are based on: their assessment of the required changes in the operational budget to finance all proposals before the COP that have budgetary implications and maintaining the operational budget at the 2014-2015 level in nominal terms; and
- recalls its earlier request to the Executive Director of UNEP to request an audit by the Office of Internal Oversight Services on coordination and cooperation among the Basel, Rotterdam and Stockholm conventions and requests the Executive Director to present the report on that audit to COP7.

OTHER MATTERS

OFFICIAL COMMUNICATION: The SC COP plenary discussed this item on Wednesday, 1 May. The Joint Secretariat introduced the document (UNEP/POPS/COP.6/30), noting that, taking into account efforts to enhance cooperation, the Joint Secretariat had developed a “harmonized form” for parties to designate contact points and that the RC and BC COPs would also consider this item.

On Thursday, 9 May, the SC COP formally adopted the decision.

Final Decision: In its decision, (UNEP/POPS/COP.6/30), the SC COP, *inter alia*:

- adopts the revised harmonized form for notification of contacts;
- urges parties to nominate official contact points and national focal points, if they have not already done so, using the revised form, as well as to confirm and provide the Secretariat with updated contact details;
- invites non-party states to designate official contact points and national focal points, if they have not already done so, using

the revised form; and

- requests the Secretariat to maintain and update, as necessary, the list of official contact points and national focal points, and to continue to make the list publicly available on the SC website.

MOU WITH UNEP: This issue was discussed in plenary on Wednesday, 1 May, and then in the Budget and Synergies Contact Group. The Joint Secretariat introduced the draft MoU (UNEP/POPS/COP.6/32), noting the RC and BC COPs would also consider the matter.

On Friday, 10 May, Synergies Contact Group Co-Chair Karel Blaha introduced the draft decision (UNEP/POPS/COP.6/CRP.24), which the COP adopted.

Final Decision: In the final decision (UNEP/POPS/COP.6/CRP.24), the COP, *inter alia*:

- recognizes that openness, transparency and the application of an equal and harmonized approach to the relationship between UNEP and the secretariats of the MEAs that it administers should apply to the development and implementation of institutional arrangements for the provision of the secretariat functions for the respective agreements;
- takes note of the request of the UNEP Governing Council to the Executive Director to deepen consultations with the MEAs, for which UNEP provides the secretariat in the preparation, by 30 June 2013, of a full report on the relationship between the UNEP and those MEAs;
- invites the Executive Secretary to actively engage in the consultations undertaken by UNEP, bearing in mind the legal autonomy of the SC and the COP’s decision-making powers in relation to the provision of secretariat functions;
- requests the Executive Secretary to report on those consultations and their possible impact on the proposed MoU between the Executive Director and the SC COP to the Bureau, during the intersessional period, and to COP7; and
- requests the Executive Secretary to submit a revised draft MoU to COP7.

ADOPTION OF THE REPORT

On Thursday, 9 May, during the evening plenary, SC COP6 Rapporteur Karel Blaha (Czech Republic), introduced the reports of the SC COP6 (UNEP/POPS/COP.6/L.1, and Add.1, Add.2 and Add.3), which the COP considered section-by-section and adopted with minor amendments.

CLOSURE OF THE MEETING

On Friday, 10 May, President Álvarez concluded SC COP6, expressing hope that SC COP7 would be successful in agreeing a compliance mechanism, and gavelled the meeting to a close at 11:50 pm.

BASEL CONVENTION COP11

BC COP11 opened briefly on Sunday, 28 April, and adopted the agenda (UNEP/CHW.11/1 and Add.1) and continued on 3-6 May, chaired by BC COP11 President Franz Perrez (Switzerland). BC COP11 reconvened briefly on Thursday and Friday, 9-10 May to adopt outstanding decisions.

ORGANIZATIONAL MATTERS: Election of Officers: BC President Perrez invited regional groups to nominate new Bureau members for a decision by the end of the COP. The EU favored

ending the expanded bureau, and asked the Secretariat to amend the draft decision to reflect this. The Joint Secretariat introduced UNEP/CHW.11/CRP.5 and CRP.6, and noted one decision discontinues the expanded bureau and the other adds *ex officio* members. Canada suggested undertaking an analysis, by a time-limited intersessional group or the Joint Secretariat, to identify the impact on parties and implications for synergies. Mexico, for GRULAC, suggested changes to BC CRP.6 on the RoP to add six Vice Presidents, one of whom would act as Rapporteur. She said that once this change was agreed to, GRULAC countries could approve CHW.11/CRP.5 on institutional arrangements. The EU did not support this change, and preferred a smaller Bureau. BC President Perrez and parties agreed to task Mexico, the EU and Canada to discuss the issue and present a draft decision, or a proposal for a way forward.

Reporting back to plenary, Canada reported that they had met with the EU and progress had been made on the expanded bureau, but the EU needed additional time to coordinate. BC President Perrez noted, and delegates agreed, that since the issue is pertinent to all three conventions, it could be completed later in the week.

On Friday, 10 May, following the report on consultations between the EU and GRULAC, the COP adopted the draft decision to amend the RoP (UNEP/CHW.11/CRP.27), to increase the Bureau from five members to 10. Delegates also adopted UNEP/CHW.11/CRP.26, on institutional arrangements.

Final Decisions: In the decision on RoP (UNEP/CHW.11/CRP.27), the COP, *inter alia*, amends rule 21 of the RoP to reflect that at each COP a president, and nine vice presidents, one of whom will serve as rapporteur, are to be elected, with due regard to equitable geographical representation; and the Chair of the ICC, the Co-Chairs of the OEWG and the Chair of any other subsidiary bodies shall be *ex-officio* members of the Bureau.

In the decision on institutional arrangements (UNEP/CHW.11/CRP.26), the COP, recognizing that the amendment of rule 21 of the RoP adopted by COP10 ensures that the functions previously undertaken by the expanded bureau can be adequately performed by the COP Bureau, decides:

- to discontinue the expanded bureau as a subsidiary body of the Convention;
- any function previously entrusted to the expanded bureau shall be undertaken in the future by the COP Bureau; and
- five members of the Bureau may participate in the Joint Bureaus' meetings of the three conventions, having due regard to equitable geographical representation.

On Friday, the COP elected Andrzej Jagusiewicz (Poland) as BC COP12 President; and Mara Curaba (Belgium), Luca Arnold (Switzerland), Flavien Joubert (Seychelles), Henry Williams (Liberia), Ali Abdullah Ahmed Al-Dobhani (Yemen), Hadi Farajvand (Iran), Patricio Silva (Uruguay), Gillian Guthrie (Jamaica), and Sergey Trepelkov (Russian Federation) as Vice Presidents. Curaba will serve as BC COP12 Rapporteur.

On Friday, the COP elected the OEWG Bureau, members of the ICC and members of ENFORCE.

For the OEWG, the COP elected: Co-Chairs Prakash Kowlessar (Mauritius) and Madga Gosk (Poland); Vice-Chairs Jacinthe Séguin (Canada) and Alberto Capra (Argentina); and Rapporteur Nassereddin Heidari (Iran).

For the ICC, the COP elected: Abdel Shafei Osman (Egypt); Datin Paduka Hajah Che Asmah Ibrahim (Malaysia); Djordje Vukotić (Serbia); Wilehaldo Cruz (Mexico); and Mark Govoni (Switzerland).

For ENFORCE, the COP elected: Dany Mpolesha Kankonda (Democratic Republic of Congo), Lumbini Kiriella (Sri Lanka), Karla Acosta Resendiz (Mexico) and Santiago Dávila Sena (Spain), along with the BC Coordinating Centre in Nigeria and BC Regional Centres in China, Bratislava and Argentina.

Organization of Work: Delegates adopted the organization of work (UNEP/FAO/CHW/RC/POPS/EXCOPS.2/INF/2/Rev.1).

MATTERS RELATED TO THE IMPLEMENTATION OF THE CONVENTION

STRATEGIC ISSUES: Follow-up to the Indonesian-Swiss CLI to improve the effectiveness of the Basel Convention:

On Friday, 3 May, BC President Perrez introduced discussion on the follow-up to the CLI. The Joint Secretariat introduced the documents (UNEP/CHW.11/3, Add.1 and Add.2, INF/2-5 and INF/34, and UNEP/CHW.11/CRP.3). The draft decision in UNEP/CHW.11/3 contained three sections, on: addressing the entry into force of the Ban Amendment; developing guidelines for ESM; and providing further legal clarity.

The Co-Chairs of the BC Technical Expert Group on ESM, Kazuhiko Takemoto (Japan) and Mohammed Khashashneh (Jordan), introduced the draft framework on ESM of hazardous wastes and other wastes, including, *inter alia*, a common understanding of ESM and strategies to implement ESM. Switzerland, also on behalf of Canada, noted BC CRP.3 builds on this framework and identifies priority areas for further work. The EU, Kenya for the African Group, Japan and China welcomed the framework. Canada objected to the inclusion of reporting provisions, commenting that this is already expected under annual reporting. Japan and Argentina said BC CRP.3 provides a good basis for further discussion, and this was referred to the Strategic Matters Contact Group.

On the Ban Amendment, the EU and Switzerland welcomed additional ratifications. Côte d'Ivoire reported that his country's ratification would be submitted soon and Israel said it was in the process of ratification. Pakistan expressed concern with provision of ESM technologies associated with ratification. On the draft glossary (UNEP/CHW.11/3/Add.2), the EU, with Norway and Japan, supported the development of a glossary, and suggested discussing it in a contact group.

On Saturday, Jimena Nieto (Colombia) reported three resolutions of a small group's discussions: definitions need to be coherent and identical; parties want to have the discussion on "foundational" definitions at this COP; and explanations should accompany some definitions. BC President Perrez suggested, and parties agreed, to establish an informal group on the draft glossary of terms.

On ESM, BC President Perrez introduced UNEP/CHW.11/CRP.10 containing the framework for the ESM of hazardous and other wastes. The EU agreed to the framework, but said it could not be "adopted" without a specific decision. In response to a question from Colombia, BC President Perrez noted the definitions in the framework could be amended later for consistency if needed. BC COP11 agreed to the framework.

On Monday, the Strategic Matters Contact Group discussed a draft decision on the ToRs for the small intersessional working group on the ESM framework proposed by the EU, which was based on BC CRP.3. The EU proposed that the intersessional group develop a work programme for priorities and key work items for implementation of ESM, and report on this to OEWG9.

On legal clarity, BC COP11 adopted the decision (BC CRP.21), with an amendment that reference to the technical guidelines on e-waste should be referred to as a draft, on Thursday, 9 May.

On the Ban Amendment and developing ESM guidelines, BC President Perrez reported that Germany had offered to take the lead on the implementation of the decision and Japan agreed to continue its contributions to ESM for hazardous wastes. BC COP11 adopted the decision (BC CRP.23) on Thursday, 9 May.

Final Decisions: In the decision on the CLI on providing further legal clarity (UNEP/CHW/COP.11/CRP.21), the COP takes note of the report on the interpretation of certain terms and of the study on used and end-of-life goods.

The COP also decides to establish, within available resources, a small intersessional working group mandated to, *inter alia*: complete the glossary of terms, taking into account comments received from parties to date, by, among other things, examining the glossaries and/or definitions in the Partnership for Action on Computing Equipment (PACE) guidance document on the ESM of used and end-of-life computing equipment and the technical guidelines on transboundary movements of e-waste, in particular regarding the distinction between waste and non-waste; identify terms for which it would be useful to have further explanations and provide such explanations in the glossary; and recommend to OEWG9 where further guidance would be useful.

On the small intersessional working group, the COP, *inter alia*:

- requests the Secretariat, within available resources, to support its work;
- invites parties to nominate experts to participate, consider serving as lead country for the group, and inform the Secretariat of their nominations and interest in leadership by 30 June 2013;
- requests the group to prepare a first draft of the revised glossary and related explanations to be made available on the BC website by 15 February 2014, for comment by parties and others by 15 April 2014, and then to prepare a revised draft of the revised glossary and related explanations by 15 June 2014; and
- decides that the group will submit, for the consideration of OEWG9, the revised glossary and related explanations.

The COP invites OEWG9 to finalize the glossary and related explanations and to prepare a draft decision for consideration and possible adoption by COP12.

The final decision on the CLI on the Ban Amendment and Guidelines for ESM (UNEP/CHW/COP.11/CRP.23) has two annexes, containing a non-exhaustive list of actions that may be considered for the implementation of the ESM framework in the short and medium term, and ToRs for the expert working group on the ESM framework.

On the entry into force of the Ban Amendment, the COP, *inter alia*,

- takes note of the communication from the UN Office of Legal Affairs on the number of parties to the BC at the time of adoption of the Ban Amendment;
- acknowledges the ratification or acceptance by further parties of the amendment, contained in decision III/1; and
- requests the Secretariat to continue to assist parties, upon request, that are having difficulties in ratifying the Ban Amendment.

On developing guidelines for ESM, the COP, *inter alia*,

- adopts the ESM framework;
- recommends the list of actions for parties, regional centres and other stakeholders in Annex I;
- decides to mandate an expert working group further to elaborate and implement actions on initial short-term work items as listed in Annex II, within available resources, and to develop a work programme for additional priorities and key work items and actions for the implementation of ESM;
- decides that this expert working group shall: operate by electronic means and hold physical meetings, subject to available funding; and consist of members nominated by parties based on equitable geographical representation, and be open to observers;
- requests the expert working group to report on its activities and to submit its work programme to OEWG9 and subsequently to COP12 for consideration and possible adoption;
- invites parties and other stakeholders to provide to the Secretariat information on activities undertaken to implement the ESM framework, including any examples of national waste prevention programmes; and
- requests the Secretariat to make the information referred to above available on the BC website.

Strategic Framework: On Friday, 3 May, the Joint Secretariat introduced the report on progress on the implementation of the strategic framework (UNEP/CHW.11/4) and the report on the creation of a baseline for the mid-term and final evaluations of the strategic framework (UNEP/CHW.11/INF/6).

On the baseline, Norway, with the EU, suggested the COP or OEWG review the draft baseline and changes to the timelines to submit information. Canada expressed concern that few parties provided information used to establish the baseline. These parties agreed to work with the Joint Secretariat to develop a new document on the baseline for evaluations of the strategic framework.

On Saturday, 4 May, the Joint Secretariat introduced UNEP/CHW.11/CRP.7, noting that the document addresses the comments raised previously in plenary. On Thursday, 9 May, the BC COP formally adopted the decision.

Final Decision: In its decision (UNEP/CHW.11/CRP.7), the BC COP, *inter alia*:

- decides to take into account regional and national diversities and specificities, especially those of developing countries, countries with economies in transition and SIDS, in the implementation;
- calls upon parties and others in a position to do so to mobilize resources to implement the strategic framework;

- requests the Secretariat: to continue to facilitate actions to mobilize resources for the strategic framework; and to continue to cooperate with parties, the BC regional and coordinating centres and other stakeholders to support the development and implementation of the activities set out in the strategic framework;
- encourages parties and other stakeholders to provide financial and other resources, including in-kind support and continue to promote the implementation of the strategic framework;
- takes note of the report on the creation of a baseline for the mid-term and final evaluations of the strategic framework prepared by the Secretariat;
- invites those parties that have not already done so to provide the Secretariat, by 30 September 2013, information for the year 2011 relevant to the indicators, using the format for reporting developed by the Secretariat;
- requests the Secretariat to submit a baseline report to OEWG9;
- requests the Secretariat to collect updated information and to prepare a report on the mid-term evaluation of the strategic framework to be considered by COP13; and
- requests the Secretariat to report to COP12 on progress on implementation of the strategic framework.

SCIENTIFIC AND TECHNICAL MATTERS: Technical guidelines: POPs: This item was taken up in the contact group on Technical Matters which met on 3, 4 and 6 May. In plenary on Friday, 10 May, BC COP11 adopted the decision on technical guidelines for the ESM of wastes consisting of, containing or contaminated with POPs.

Final Decision: In the decision (UNEP/CHW.11/CRP.11), the COP, *inter alia*:

- decides that the following should be included in the work programme of the OEWG for 2014-2015: updating the general technical guidelines for the ESM of wastes consisting of, containing or contaminated with POPs and the preparation or updating of specific technical guidelines with regard to the chemicals listed in Annexes A, B and C; and review of the waste-related aspects of the draft guidance document for the inventory of PFOS and related chemicals, the draft guidance for the inventory of PBDEs, the draft guidance on BAT and BEP for the use of PFOS and related chemicals and those for the recycling and waste disposal of articles containing PBDEs, all listed under the SC;
- decides to extend the mandate of the small intersessional working group to monitor and assist in the review and updating of the POPs technical guidelines and in the review of the waste-related aspects of the documents referred to above, working in particular by electronic means;
- welcomes Canada's offer to chair the small intersessional working group until COP12, and expresses its appreciation to the lead countries Canada, China and Japan and the lead organizations FAO and UNEP for their financial or in-kind contributions for tasks under this subject matter;
- invites, in consultation with the small intersessional working group: Canada to prepare draft revised general technical guidelines for the ESM of POPs, and for PFOS, its salts and PFOSF by 28 February 2014; China to prepare draft technical guidelines for the ESM of commercial octa-BDE, penta-BDE

and HBCD by 28 February 2014; and Japan to prepare draft technical guidelines for the ESM of PCBs, polychlorinated terphenyls or polybrominated biphenyls, including hexabromobiphenyl by 15 April 2014; and

- invites the lead countries and lead organizations to prepare, in consultation with the small intersessional working group, revised draft technical guidelines for consideration by OEWG9.

Technical guidelines: E-waste: On Friday, 3 May, BC President Perrez introduced the technical guidelines on transboundary movements of e-waste, in particular the distinction between waste and non-waste (UNEP/CHW.11/7/Add.1). Several developing countries reported the "rapid generation" of e-waste caused by import of end-of-life products and called for international cooperation.

China, Iraq, Morocco and the Dominican Republic called for a clear definition of e-waste and distinction between waste and non-waste. The Republic of Korea underlined the need to identify used electronics and the EU and Australia called for clarity on the components covered by the guidelines.

Japan called for consideration of the procedure for transboundary movement of used equipment intended for direct reuse, as opposed to e-waste. Highlighting the importance of recycling centres for some developing countries, Canada preferred not to restrict items for recycling. Thailand supported refurbishment in environmentally-sound facilities.

The US asked that parties focus on the goals of the guidelines, address real-world situations and remove references to voluntary procedures. Stressing that the definitions in the guidelines concerning waste and non-waste have been influenced by commercial actors and therefore compromise the integrity of the Ban Amendment, the Basel Action Network (BAN) explained not all electronics are repairable and called on parties not to adopt the guidelines.

A contact group, co-chaired by Michael Ernst (Germany) and Che Asmah Ibrahim (Malaysia), was established and met from 3-6 May. In the contact group, delegates commented extensively on the distinction between waste and non-waste, discussing the criteria for the transfer of used equipment including contracts relating to the equipment's functionality, and situations where used equipment should normally be considered waste. Delegates worked from a Co-Chairs' text before establishing a small break-out group, consisting of 15 countries representing the five regions, to consult on situations where used equipment should normally be considered waste or not be considered waste. The small group was tasked to consider proposals from: the African Group and GRULAC, dealing specifically with used equipment for medical and research-related uses; the EU, requesting parties to provide comments on what should be considered exemptions and calling on the Secretariat to publish these comments; the Co-Chairs, giving specific categories for re-use; Japan, dealing with equipment for re-use that has undergone functionality testing; and the Information Technology Industry Council, concerning contracts attached to equipment for re-use after refurbishment and alignment with national legislation. The small group was unable to reach a decision.

On Tuesday, 7 May, the Joint Secretariat introduced the draft decision on technical guidelines for e-waste (UNEP/CHW.11/

CRP.22) and the BC COP adopted the decision on Thursday, 9 May. Colombia, supported by many countries, lamented that no consensus had been reached on the guidelines.

Final Decision: In its decision (UNEP/CHW.11/CRP.22) the BC COP, *inter alia*:

- decides to include the development of the technical guidelines on transboundary movements of e-waste, in particular regarding the distinction between waste and non-waste under the BC, in the work programme of the OEWG for 2014-2015;
- invites parties to consider serving as the lead country for the development of the technical guidelines and to inform the Secretariat of their willingness to do so by 31 July 2013;
- invites parties and others to submit information, examples of current practices and considerations on the issues related to situations where used equipment should normally be considered waste or not be considered waste (paragraph 26(b)) to the Secretariat by 15 September 2013;
- requests the lead country, or the Secretariat in consultation with the small intersessional working group, to prepare draft revised technical guidelines, taking into account the submissions by parties and others and the discussions at COP11, for publication on the Convention website by 30 November 2013;
- invites parties and others to submit comments on the draft revised technical guidelines, in particular on issues referred to in paragraph 26(b) by 28 February 2014;
- requests the Secretariat, subject to the availability of resources, to gather and analyze information on the implications of the issues referred to in paragraph 26(b) and to prepare a report, taking into account the comments received for consideration by OEWG9;
- requests the lead country, or Secretariat in consultation with the small intersessional working group, to prepare a draft revised technical guidelines for consideration at OEWG9; and
- requests the Secretariat to report to COP12 on the progress of work on the development of the technical guidelines.

Technical guidelines: Used tyres and mercury wastes: On Friday, 3 May, the Joint Secretariat introduced an information document on the experience of parties in using technical guidelines for the ESM of used tyres, of wastes consisting of elemental mercury and wastes containing or contaminated with mercury and of co-processing of hazardous waste in cement kilns (UNEP/CHW.11/INF/16). The EU requested, and delegates agreed, that the Secretariat prepare a procedural document on how to update the technical guidelines on synergies with the Minamata Convention. On Thursday, 9 May, BC COP11 adopted the technical guidelines for the ESM of mercury wastes.

Final Decision: In the decision (UNEP/CHW.11/CRP.9), the COP, *inter alia*:

- takes note of the relationship between the Minamata Convention on Mercury and the BC, in particular regarding the ESM of mercury wastes;
- decides to include the updating of the technical guidelines for the ESM of wastes consisting of elemental mercury and wastes containing or contaminated with mercury in the work programme of the OEWG for 2014-2015;

- invites parties to consider serving as lead country for updating the technical guidelines and to inform the Secretariat of their willingness to do so by 30 June 2013;
- invites parties to nominate experts to participate in the small intersessional working group and to inform the Secretariat of their nominations by 30 June 2013;
- requests the lead country or, if there is no lead country, the Secretariat, in consultation with the small intersessional working group, to prepare draft updated technical guidelines for publication on the BC website by 31 December 2013; and
- requests the lead country or, if there is no lead country, the Secretariat, with the small intersessional working group, to prepare revised draft updated technical guidelines, for consideration by OEWG9.

Amendments to the annexes to the Basel Convention: On Friday, 3 May, the Joint Secretariat introduced UNEP/CHW.11/8 and INF/17 on applications for new entries to Annex IX to the BC. Egypt noted the annex poses challenges for his country, pointing in particular to the management and movement of waste across borders. Pakistan called for an in-depth analysis of the proposals prior to a decision.

This item was discussed in the Technical Matters Contact Group from 3-6 May. On Thursday, 9 May, the COP adopted the decision on amendments to the annexes to the BC.

Final Decision: In the decision (UNEP/CHW.11/CRP.12), the COP, *inter alia*:

- adopts the following amendments to Annex IX of the BC: new entry B3026 (non-separable plastic fraction and non-separable plastic-aluminium fraction, which are wastes from the pre-treatment of composite packaging for liquids); and new entry B3027 (self-adhesive label laminate waste containing raw materials used in label material production);
- decides to include further work on entry B3025 (composite packaging waste consisting mainly of paper and some plastic, not containing residue) in the work programme of the OEWG for 2014-2015, noting that there may be national laws controlling the import of waste containing household waste; and
- invites parties and others to submit comments to the Secretariat by 30 October 2013 on draft entry B3025 for consideration by the next OEWG.

Classification and hazard characterization of wastes: On Friday, 3 May, the Joint Secretariat introduced the document on the review of cooperation with the World Customs Organization (WCO) and its Harmonized System Committee (UNEP/CHW.11/9).

Lebanon and Libya called for training customs officers on the harmonized system. The EU supported continuing with the process of including wastes covered by the Convention in the WCO Harmonized Commodity Description and Coding System.

National reporting: This issue was considered in the simultaneous ordinary meetings, on Monday, 29 April, in a drafting group on BC reporting chaired by Sara Broomhall (Australia), and in plenary on Saturday, 4 May. (See page 10.)

On Saturday, the Joint Secretariat presented UNEP/CHW.11/CRP.1, which establishes an intersessional working group on national reporting. On Thursday, 9 May, the COP formally adopted the decision.

Final Decision: In the decision (UNEP/CHW.11/CRP.1), the BC COP, *inter alia*:

- invites parties that have not yet done so to transmit to the Secretariat their completed questionnaires on the transmission of information for 2011 and for previous years, as soon as possible and in electronic form;
- invites parties to fill in any data gaps that may exist in their reported data on the generation and transboundary movement of hazardous and other wastes, especially the data regarding e-waste, for 2006 and following years;
- requests the Secretariat to, among other things: continue to assist parties in improving the comparability of their data on the transboundary movements of hazardous and other wastes; and continue to develop the new electronic reporting system;
- requests the BC regional centres to continue to provide assistance to parties to meet their reporting obligations with a view to transmitting to the Secretariat national reports, to the extent possible, complete and on time; and
- decides to include a review and revision of the reporting format in the work programme of the OEWG for 2014-2015 and to establish a small intersessional working group, operating by electronic means, to take this work forward, with a particular focus on streamlining and simplifying the content and structure of the reporting format.

On requests related to this intersessional working group and reporting format, the COP, *inter alia*:

- invites parties to: nominate experts to participate, and inform the Secretariat of their nominations by 30 June 2013; consider serving as lead country for the review and revision of the reporting format and to inform the Secretariat of their willingness to do so by 30 June 2013; and submit suggestions on revising the reporting format to the Secretariat by 30 September 2013;
- requests the Secretariat to support the group; and
- requests the lead country or, if there is no lead country, the Secretariat, in consultation with the group, to review the reporting format, and to submit a draft revised reporting format for consideration by OEWG9.

The COP also requests the Secretariat to report to COP12 on the progress of work on national reporting.

LEGAL, COMPLIANCE AND GOVERNANCE

MATTERS: Committee for Administering the Mechanism for Promoting Implementation and Compliance of the Basel Convention:

This issue was considered in the simultaneous ordinary sessions, on Monday, 29 April, in a contact group on Compliance and Legal Matters. (See page 10.)

On Saturday, the Joint Secretariat introduced UNEP/CHW.11/CRP.2. Compliance and Legal Matters Contact Group Co-Chair Daniel highlighted, among other items, the ToRs for the Environmental Network for Optimizing Regulatory Compliance on Illegal Traffic (ENFORCE). The EU asked that the contact group on Budget and Synergies consider this item. Japan expressed willingness to support this “important meeting.”

On Thursday, 9 May, the COP formally adopted the decision.

Final Decision: The decision (UNEP/CHW.11/CRP.2) contains two sections on: specific submissions regarding party implementation and compliance; and review of general issues of compliance and implementation under the Convention. It also

contains two annexes, one containing ToRs for ENFORCE and the other with the work programme for 2014-2015 of the ICC.

In the decision, the COP takes note of the report and recommendations of the ICC, and welcomes the work undertaken by the Committee since BC COP10.

In the section on specific submissions, the COP, *inter alia*:

- encourages parties concerned by a submission covered by the decisions taken by ICC9 to cooperate with the Committee with a view to resolving the matter of concern; and
- authorizes the Committee to make recommendations to the Executive Secretary on the use of the implementation fund in the intersessional period between BC COP11 and COP12 in the context of the facilitation procedure set out in the terms of reference, to fund activities listed in the compliance action plans approved by the ICC.

The section on review of general issues contains four sections, on national reporting, national legislation, illegal traffic and the work programme for the biennium 2014-2015.

On national reporting, the COP, *inter alia*:

- notes with concern that the national reporting targets for 2010 approved by COP10 have not been met; and
- agrees, as a way of measuring progress in the overall implementation of and compliance with paragraph 3 of Article 13 (on time limit of liability) of the Convention, on the following interim targets: 30% of reports due for 2011 and for subsequent years are submitted on time; and 20% of reports due for 2011 and for subsequent years are submitted on time.

On national legislation, the COP, *inter alia*:

- invites parties that may be facing difficulties in implementing and complying with paragraph 4 of Article 4 (on general obligations) and paragraph 5 of Article 9 (on illegal traffic) of the Convention to make use of the Committee’s legal framework programme, which may lead to consideration for possible funding from the implementation fund;
- requests the Secretariat to, among other things, give priority, in the legal component of the Secretariat’s technical assistance programme, to assist parties in enacting and reviewing implementing legislation; and
- invites the BC regional and coordinating centres to include assistance to parties in the development or review of national legislation implementing the BC as part of their business plans, using guidance developed by the Convention bodies, while taking into account regional specificities.

On illegal traffic, the COP, *inter alia*:

- adopts the ToRs for ENFORCE;
- in accordance with the ToRs: elects representatives to ENFORCE from the African, Asian, Central and Eastern European, Latin American and Caribbean and Western European and Others groups; and designates representatives to ENFORCE from the BC regional and coordinating centres from the African, Asian, Central and Eastern European, Latin American and Caribbean and Western European and Others regions; and
- requests the Secretariat, subject to the availability of resources, to make the necessary arrangements for organizing the first meeting of ENFORCE.

On the work programme for the biennium 2014-2015, the COP, *inter alia*:

- approves the work programme of the Committee for 2014-2015; and
- requests the Committee to establish priorities, work methods and schedules with regard to the issues identified in the work programme and to coordinate with the OEWG, the Secretariat and the BC regional and coordinating centres to avoid duplication of activities.

National legislation, notifications, enforcement of the Convention and efforts to combat illegal traffic:

The Joint Secretariat introduced UNEP/CHW.11/12 on Saturday, 4 May. The EU proposed a change to a reference to decision BC-10/13. With that amendment, on Thursday, 9 May, the COP adopted the decision.

Final Decision: In its decision (UNEP/CHW.11/12), the BC COP, *inter alia*:

- welcomes the implementation and enforcement activities undertaken by the Secretariat and encourages the further development of those activities as provided for in the programme of work and the budget;
- welcomes the active engagement of enforcement organizations and networks in preventing and combating illegal traffic in hazardous and other wastes, and invites those organizations and networks to continue their collaboration with the Secretariat;
- urges parties to fulfill their obligations, including by updating or developing stringent legislation on the control of transboundary movements of hazardous wastes, and by incorporating into their national legislation appropriate sanctions or penalties for illegal traffic in hazardous and other wastes;
- encourages parties, *inter alia*, to: improve cooperation and coordination among national level entities; train enforcement personnel to build their capacity; provide appropriate incentives and avoid possible disincentives for enforcement entities to prevent and combat illegal traffic; and promote and participate in enforcement activities and organizations;
- requests parties that have not yet provided the Secretariat with any of the information on national definitions, including national lists of hazardous wastes and information on import or export restrictions or prohibitions, to do so as soon as possible;
- requests the Secretariat, subject to availability of funding, to develop tools and organize enforcement training activities, in collaboration with BC regional and coordinating centres, the secretariats of other relevant MEAs and other international organizations, agencies and programmes, to assist parties, particularly developing countries and countries with economies in transition, to develop national legislation and other measures to implement and enforce the Convention and to prevent and punish illegal traffic; and
- further requests the Secretariat to report on these matters to COP12.

TECHNICAL ASSISTANCE: Capacity-building: This issue was introduced in the simultaneous ordinary meetings, on Sunday, 28 April, and discussed in the contact group on Technical Assistance and Financial Resources. (See page 9.)

On Wednesday, 1 May, the contact group worked on two draft decisions on technical assistance, with compromise text proposed by a small drafting group.

On Saturday, 4 May, the Joint Secretariat introduced the revised draft decision in UNEP/CHW.11/CRP.4. Contact Group Co-Chair Khashashneh highlighted changes including facilitating information gathering, technology transfer and technical assistance programmes for the 2016-2017 biennium.

The decision was formally adopted on Thursday, 9 May.

Final Decision: In the final decision on technical assistance (UNEP/CHW.11/CRP.4), the COP, *inter alia*:

- invites developing-country parties and parties with economies in transition to provide information to the Secretariat on their needs in terms of technical assistance and technology transfer, and their difficulties in implementing the BC;
- also invites developed-country parties and others with the capacity to do so to continue to provide information to the Secretariat on the technical assistance and technology that they have available to be transferred to developing-country parties and parties with economies in transition;
- requests the Secretariat to develop, within available resources, user-friendly, concise and targeted online questionnaires for the collection of the information referred to above;
- takes note of the technical assistance programme set out in document UNEP/CHW.11/INF/21 (programme for the delivery of technical assistance for the implementation of the BC) and requests the Secretariat to enhance its work to facilitate the delivery of technical assistance and the transfer of environmentally sound technologies, taking into account the elements contained in the technical assistance programme; and
- requests the Secretariat to: prepare and submit a report to COP12 on progress made in providing technical assistance and capacity-building and facilitating the transfer of environmentally sound technologies to parties; and prepare a technical assistance programme for the biennium 2016-2017.

Basel Convention regional and coordinating centres: This issue was introduced in the simultaneous ordinary sessions on Sunday, 28 April, considered in a contact group on Technical Assistance and Financial Resources, which met daily beginning on Monday, 29 April, and taken up in plenary on Saturday, 4 May and Monday, 6 May. (See page 9.)

On Saturday, in plenary, Contact Group Co-Chair Khashashneh clarified that the contact group had split the initial draft decision on regional and coordinating centres (UNEP/CHW.11/5) into two separate draft decisions, and said the second was still under consideration. BC COP11 adopted the draft decision in BC CRP.8 on Thursday, 9 May.

On Friday, 10 May, following additional work by the contact group, BC COP11 adopted the decision on the process for evaluating the performance and sustainability of BC regional and coordinating centres (BC CRP.14).

Final Decisions: In the first decision (UNEP/CHW.11/CRP.8), the COP, *inter alia*,

- takes note of: information provided by the Secretariat on the strengthening of the BC regional and coordinating centres; the business plans for the bienniums 2012-2013 and 2014-2015

submitted by the centres, as well as their activity reports for the period January 2011 - December 2012;

- encourages the centres to continue to strive to mobilize financial resources for the implementation of their capacity-building activities with the aim of assisting parties in the implementation of their obligations under the Convention;
- requests the Secretariat to, *inter alia*: continue to provide guidance on effective governance and administrative arrangements for the centres and further strengthen their independent operation, subject to the availability of resources; continue to facilitate capacity-building activities and pilot projects conducted by the centres, subject to the availability of resources; increase efforts to facilitate financial resource mobilization by the BC regional and coordinating centres, including by linking them with the GEF, World Bank, regional development banks and bilateral donors; and foster a coordinated approach in its relation with the regional centres of the Basel and Stockholm conventions, while recognizing the specificities of the centres of each convention;
- urges parties and signatories, especially donor countries, and invites other stakeholders in a position to do so and, where appropriate, multilateral donors, to provide adequate, sustainable and predictable financial and technical support directly to the centres to assist parties to implement their obligations under the Convention; and
- requests the Secretariat to report on the implementation of the present decision to BC COP12.

In the second decision (UNEP/CHW.11/CRP.14), which contains two annexes (interim criteria and interim methodology) for evaluating the performance of BC regional and coordinating centres, the COP, *inter alia*,

- takes note of the situation of the BC regional centres and all the differences between BC and SC regional centres;
- adopts, for evaluating the performance of BC regional and coordinating centres: the interim criteria, as set forth in Annex I; and the interim methodology, as set forth in Annex II;
- decides to evaluate, in accordance with the interim criteria and the interim methodology, the performance and sustainability of BC regional and coordinating centres at BC COP12 and every four years thereafter;
- also decides to add to the interim methodology a section on the evidence and information provided by the users of the BC regional and coordinating centres on the following: services received, challenges experienced, gaps identified, priorities identified and recommendations to facilitate further strengthening and continuous improvement of the centres;
- further decides that the interim criteria and interim methodology may be revised, if deemed necessary, for adoption by COP12; and
- requests the Secretariat to report on the implementation of the present decision to COP12.

Implementation of decision V/32 on the enlargement of the scope of the Trust Fund to Assist Developing and Other Countries in Need of Technical Assistance in the Implementation of the Basel Convention:

On Saturday morning, 3 May, the Joint Secretariat introduced the documents (UNEP/CHW.11/14 and INF/20). The EU suggested several amendments to the draft decision, including defining the

“division of labor” with the Office for the Coordination of Humanitarian Affairs (OCHA), UNEP and other bodies, and noted that the fund is “lying dormant.” BC COP11 “virtually” adopted the decision with the EU’s amendments, however, during the afternoon plenary, Cuba, supported by Ecuador and Venezuela, stated that the adoption of UNEP/CHW.11/14 was not conducted transparently. He requested further discussion, and a revised draft to reflect the proposed amendments. Stating that the process had been transparent, BC President Perrez agreed the COP would revisit the item.

On Monday, Mexico, on behalf of GRULAC, and supported by Cuba, proposed re-opening BC COP11’s discussion on the revised draft decision, contained in UNEP/CHW.11/CRP.16, and suggested three amendments.

On the proposal to “take note,” rather than “welcome” a draft report, the EU proposed deleting the word “draft,” noting the COP cannot take note of a draft report. On deleting text regarding the report “as a final Secretariat report,” the COP agreed. On the deletion of a paragraph noting only one request since 1999 for financing from the emergency mechanism, Cuba noted there is little money available under the Trust Fund for addressing natural disasters, and underscored the importance of the emergency mechanism. The EU commented that the paragraph is a “factual statement,” but agreed to delete the text.

With GRULAC’s revisions, as amended by the EU, on Friday, 10 May, the COP formally adopted the decision.

Final Decision: In the decision (UNEP/CHW.11/CRP.16), the COP, *inter alia*:

- takes note of the report on the emergency mechanism established in accordance with decision V/32;
- decides to amend the section entitled “Procedure” of Chapter IV of Part I of the Interim Guidelines for the Implementation of Decision V/32, to read: “Requests submitted to the Secretariat are dealt with promptly. On the basis of the present Interim Guidelines, the Executive Secretary, in consultation with the Bureau of the COP, using a quick procedure, may provide assistance to a party to the Convention from the Technical Cooperation Trust Fund. The Executive Secretary will also consult with contributors, especially in cases where contributions to the Trust Fund are earmarked with conditions. Upon receiving a request for emergency assistance, the Secretariat shall consult with experts, through the national focal point, in order to clarify the urgency, the imminence of the threat or the type of measures necessary to be taken for that specific incident. All decisions taken should be reported to the Bureau, Working Groups and to the next meeting of the COP”;
- considers nevertheless that further changes will be required to provide developing countries with effective rapid access to expertise following emergencies and, to that end, requests the Secretariat to make proposals to COP12 on strengthening cooperation with OCHA, UNEP and other relevant organizations mentioned in the report and, if necessary, redefining the division of labor with them; and
- also requests the Secretariat, among other things, to reconsider, in accordance with the report, its role in capacity-building activities relevant to the prevention of incidents and enhancing the preparedness of countries to deal with

emergencies caused by transboundary movements of hazardous wastes and other wastes and their disposal and, if necessary, make proposals to COP12 for amendments to Part III of the Interim Guidelines.

INTERNATIONAL COOPERATION, COORDINATION AND PARTNERSHIPS: BC Partnership Programme: On Friday, 4 May, the Joint Secretariat introduced the documents on PACE (UNEP/CHW.11/6, Add.1 and INF/11-13). Marco Buletti (Switzerland), Co-Chair of the PACE Working Group, summarized the work on the development and revision of the guidance document on the ESM of used and end-of-life computing equipment. He said comments had been received from parties and NGOs, and that draft guidance had been revised. The EU and Japan said they had specific comments, and the document was further considered by the Technical Matters Contact Group.

The COP formally adopted the decision on Thursday, 9 May.

Final Decision: In the decision (UNEP/CHW.11/CRP.19 and Add.1), the COP, *inter alia*:

- expresses appreciation for the financial and in-kind contributions made to the PACE by parties, signatories, industry, NGOs and other stakeholders;
- adopts, without prejudice to national legislation, Sections 1 (purpose of the guidance document), 2 (ESM criteria recommendations), 4 (testing, refurbishment and repair of used computing equipment) and 5 (material recovery and recycling of end-of-life computing equipment) of the guidance document;
- confirms that Section 3 (transboundary movement of used and end-of-life computing equipment) of the guidance document may be revised following the adoption of technical guidelines on transboundary movements of e-waste, in particular regarding the distinction between waste and non-waste, in order to avoid duplications and discrepancies;
- agrees to extend the mandate of PACE until the end of 2015 to complete the work programme for 2014-2015 as set out in the annex to the present decision;
- invites the BC regional and coordinating centres to participate in the implementation of pilot projects on the collection and management of used computing equipment by informal sectors in developing countries and countries with economies in transition, subject to the availability of funding;
- invites additional parties and other stakeholders, including manufacturers, recyclers, refurbishers and others, in particular from developing countries and countries with economies in transition, to participate in the activities of the Partnership Working Group; and
- encourages parties and others to make financial or in-kind contributions or both to facilitate: the participation of developing countries and countries with economies in transition in the Partnership; the implementation of pilot projects on the collection and management of end-of-life computing equipment from informal sectors in developing countries and countries with economies in transition; and identification of actions and incentives that can be taken to promote the environmentally sound reuse, refurbishment, repair, recycling and material recovery of used and end-of life computing equipment.

The annex to the decision contains the revised PACE guidance document on the ESM of used and end-of-life computing equipment.

Environmentally-sound dismantling of ships: This issue was addressed on Friday, 3 May. The Joint Secretariat introduced the document (UNEP/CHW.11/16), and the International Maritime Organization (IMO) highlighted activities to support the voluntary implementation, and promote ratification, of the Hong Kong Convention on the Safe and Environmentally-Sound Recycling of Ships.

Egypt underlined the need to address problems related to transit of ships to recycling centres. Lebanon said that, in the absence of national regulations, his country uses the BC.

China urged all parties to ratify the Hong Kong Convention. The NGO Shipwrecking Platform urged the BC to clarify the coexistence of the Hong Kong Convention and the BC. BAN said that new EU decisions on ship recycling contravene its responsibilities under the BC and the Ban Amendment, and, with CIEL, recalled that ships are considered waste under the Convention.

On Thursday, 9 May, the COP formally adopted the decision.

Final Decision: In the decision (UNEP/CHW/COP.11/16), the BC COP, *inter alia*:

- underlines the importance of continued inter-agency cooperation between the International Labor Organization (ILO), IMO and BC on issues related to ship dismantling;
- welcomes the development of implementation programmes relating to sustainable ship recycling;
- calls upon all parties and other stakeholders in a position to do so to make financial or in-kind contributions to the implementation of activities under the relevant programmes relating to sustainable ship recycling; and
- requests the Secretariat, among other things, to: continue its work, subject to the availability of funding; develop further the programmes for sustainable ship recycling in conjunction with other bodies, in particular the IMO and ILO; and follow developments in relation to the Hong Kong Convention.

Cooperation with the IMO: On Saturday, 4 May, the Joint Secretariat introduced discussion on cooperation between the BC and the IMO (UNEP/CHW.11/17), on, *inter alia*, the revised legal analysis of the application of the BC to hazardous and other wastes generated on board ships.

Varying views were expressed on whether to further revise the revised legal analysis. China concurred with the legal analysis, but suggested the provisions of the BC must also apply to wastes that are generated outside the scope of the International Convention for the Protection of Pollution from Ships (MARPOL). Colombia, supported by Mexico and Costa Rica, welcomed the revised legal analysis and its conclusions, and, with Senegal, on behalf of the African Group, urged continuing work on the legal scope and application of the BC to waste generated on ships on the high seas. Switzerland also supported further revision, encouraging a broader interpretation of the BC.

Canada opposed requesting further legal analysis. Suggesting the current legal interpretation leaves "loopholes," CIEL recommended opening an additional comment period on the legal analysis. The EU supported the conclusions of the revised

legal analysis and, with Norway, asked these be included in the draft decision.

The US appreciated the analysis, but opposed the conclusion that the PIC Procedure apply to ships within marine territories, and urged further concerns be addressed under the IMO, not the BC. The IMO urged that only the parties of MARPOL and IMO interpret instruments to those conventions.

BC President Perrez noted divergent opinions and tasked a small, informal group comprised of Colombia, the EU and Senegal with proposing a way forward.

On Monday, the Joint Secretariat introduced the revised draft decision (UNEP/CHW.11/CRP.15). The EU reported that this draft decision represents an agreement reached by the small group. Senegal, supported by Canada and Switzerland, suggested removing the list of specific conclusions of the legal analysis and “taking note” of the conclusions, rather than “welcoming.”

Canada said that the BC noted IMO actions regarding waste generation on ships and suggested the Joint Secretariat could “monitor” this work. The EU accepted the proposal to “take note” of the revised legal analysis of application of the BC and other wastes generated on board ships and “take note” of the conclusions therein, and also to delete the reference to the specific conclusions.

On Thursday, 9 May, the COP formally adopted the amended decision.

Final Decision: In the decision (UNEP/CHW.11/CRP.15), the COP, *inter alia*,

- takes note of the information contained in the note by the Secretariat on cooperation between the BC and the IMO;
- expresses its appreciation to the IMO Secretariat for its cooperation with the BC Secretariat, including in the framework of the development of the successive iterations of the legal analysis on the application of the BC to hazardous and other wastes generated on board ships;
- takes note of the revised legal analysis of the application of the BC to hazardous wastes and other wastes generated on board ships and of the conclusions therein;
- requests the Secretariat to, among other things, keep the IMO informed of any developments on the subject of the present decision arising in the context of the BC and to monitor any consideration by the Marine Environment Protection Committee and Maritime Safety Committee of the IMO of issues of relevance to the BC;
- reiterates the invitation to parties in decision BC-10/16 to undertake an assessment on how far the current BC technical guidelines cover wastes covered by MARPOL, or to provide funds to enable the Secretariat to undertake such an assessment, in close consultation with the IMO;
- reiterates the request to the Secretariat in decision BC-10/16 with respect to the development of a guidance manual, in cooperation with the IMO, on how to improve the sea-land interface to ensure that wastes falling within the scope of MARPOL, once offloaded from a ship, are managed in an environmentally sound manner; and
- requests the Secretariat to report on the implementation of the present decision to COP12.

Other international cooperation and coordination: On Friday, 3 May, the Joint Secretariat introduced the documents

(UNEP/CHW.11/18 and INF/24). BC President Perrez suggested, and parties agreed, to close the item, note the discussion in the report, and not take a decision.

RESOURCE MOBILIZATION AND FINANCIAL RESOURCES: This issue was introduced in the simultaneous ordinary sessions, on Monday, 29 April, with a draft decision for the BC in UNEP/CHW.11/19. It was considered in a contact group on Technical Assistance and Financial Resources. (See page 9.)

On Thursday, 9 May, BC COP11 adopted the decision on resource mobilization and sustainable financing.

Final Decision: In the decision (UNEP/CHW.11/CRP.13), the COP, *inter alia*:

- welcomes the activities undertaken and progress made by the Secretariat, the BC regional and coordinating centres and parties in mobilizing resources and sustainable financing for the implementation of the Convention, and in coordinating resource mobilization activities under other relevant MEAs; and
- takes note of the outcome of the consultative process on financing options for chemicals and wastes.

The COP also requests the Secretariat to, among other things:

- facilitate discussions with the GEF and the participating organizations of the Inter-Organization Programme for the Sound Management of Chemicals in order to ensure that provisions relevant to the BC are taken into account in the development of technical assistance projects and activities;
- explore further joint activities to mobilize resources for the implementation of the BC, the RC and the SC; and
- report to COP12 on progress made in mobilizing resources for the implementation of the BC.

OPERATIONS AND WORK PROGRAMME OF THE OEWG FOR 2014-2015: On Friday, 3 May, the Joint Secretariat introduced the documents (UNEP/CHW.11/20 and Add.1), on a revised draft work programme for the BC OEWG as well as three options for working modalities, to: maintain the current format; modify the meeting format with the same institutional arrangement; or dissolve the OEWG and create a Scientific and Technical Committee (STC). Parties expressed differing preferences on the options, with, among others, Venezuela preferring the current OEWG, Bahrain supporting a modified OEWG and Thailand supporting an STC.

Many parties supported proposals to increase the efficiency and cost-effectiveness of the OEWG, but several, including Argentina, requested an in-depth review of benefits and drawbacks, and others, including Switzerland and Costa Rica, called for further discussion. China noted the value of the OEWG as a forum for capacity building. Canada suggested the Secretariat or a time-limited intersessional group further review the options.

The Strategic Matters Contact Group was mandated to consider this further. On Saturday, on the potential formats of the OEWG, the contact group concluded that further analysis was necessary, and that the next OEWG would maintain the current format but the Secretariat would be granted flexibility on the organization of the meeting, particularly with regard to interpretation arrangements.

On Monday, in plenary, the Joint Secretariat introduced the revised draft decisions on the OEWG (UNEP/CHW.11/CRP.17 and CRP.18), noting that the OEWG work programme (CRP.18) would be revised by the Joint Secretariat as the BC adopts further decisions. Canada and the Dominican Republic suggested returning to this item after the work programme was completed.

On Thursday, 9 May, the COP formally adopted the decision.

Final Decision: In the decision (UNEP/CHW.11/CRP.17), on the operations and work programme of the OEWG for 2014-2015, the COP, *inter alia*:

- adopts the work programme of the OEWG for 2014-2015;
- decides that OEWG9 will be four days, with two days of interpretation to be applied flexibly by the Executive Secretary; and
- on possible options for future institutional arrangements, requests: parties and others to submit comments to the Secretariat by 31 October 2013; the Secretariat to prepare a document analyzing the possible options, including their financial implications, for consideration by OEWG9; and the OEWG to submit a report including recommendations on possible options, including draft ToRs as appropriate, to COP12.

UNEP/CHW.11/CRP.18/Rev.1 contains the revised work programme of the OEWG for 2014-2015, as an annex to BC CRP.17. The work programme has sections on: strategic issues; scientific and technical matters; legal, governance and enforcement matters; international cooperation and coordination; and programme of work and budget. Under each section, the work programme details the topics to be addressed, and the mandate and priority of activities listed under each topic. High-priority activities include, among others: considering the baseline report submitted by the Secretariat on the strategic framework; updating the general technical guidelines for the ESM of POPs wastes and preparing or updating specific technical guidelines developed under the BC; and finalizing the glossary of terms and related explanations for providing further legal clarity under the CLI, with a draft decision for consideration and possible adoption by COP12.

PROGRAMME OF WORK OF THE SECRETARIAT AND ADOPTION OF THE BUDGET: This issue was introduced in the ExCOPs on Sunday, 28 April, and then considered by the Budget and Synergies Contact Group. (See page 4.)

On Friday, 10 May, Budget and Synergies Contact Group Co-Chair Filyk introduced the financing and budget for the biennium 2014-2015, which the BC COP adopted.

Final Decision: In its decision (UNEP/CHW.11/CRP.25 and Add.1) the COP, among other items:

- approves the programme budget for the BC for the biennium 2014-2015;
- authorizes the Executive Secretary of the BC to make commitments in an amount up to the approved operational budget, drawing upon available cash resources;
- adopts the indicative scale of assessments for the apportionment of expenses for the biennium 2014-2015 and authorizes the Executive Secretary to adjust the scale to include all parties for which the Convention enters into force

before 1 January 2014 for 2014 and before 1 January 2015 for 2015;

- decides to maintain the working capital reserve at the level of 15% of the annual average of the biennial operational budgets for 2014-2015;
- notes with concern that a number of parties have not paid their contributions to the operational budgets for 2010 and prior years and urges parties to pay their contributions promptly by or on 1 January of the year to which the contributions apply;
- decides, with regard to contributions due from 1 January 2010 onwards, that no representative of any party whose contributions are in arrears for two or more years shall be eligible to become a member of the Bureau of the COP or any subsidiary body of the COP, but that the decision shall not apply to parties that are LDCs or SIDS or to parties that have agreed on and are respecting a schedule of payments in accordance with the financial rules;
- decides to further consider additional incentives and measures to address arrears in core budget contributions to the Convention in an effective and efficient manner at the next meeting of the COP;
- requests the Secretariat to present options for incentives and measures, including information on those applied under other MEAs to deal with such challenges;
- urges parties, and invites others in a position to do so, to contribute urgently to the Technical Cooperation Trust Fund with a view to ensuring the full and effective participation of developing country parties, in particular the LDCs and SIDS, and parties with economies in transition, in the meetings of the COP;
- requests the Executive Secretary at COP12 to provide, where relevant, cost estimates for actions that have budgetary implications that are not foreseen in the draft programme of work but are included in proposed draft decisions before the adoption of those decisions by the COP; and
- recalls its earlier request to the Executive Director of UNEP to request an audit by the Office of Internal Oversight Services on coordination and cooperation among the Basel, Rotterdam and Stockholm conventions and requests the Executive Director to present the report on that audit to COP12.

OTHER MATTERS

ADMISSION OF OBSERVERS: On Saturday, 4 May, BC COP11 President Perrez explained that the SC had initiated an informal group to consider this issue (UNEP/CHW.11/22), and said it would report to the COP on Monday, 6 May. The Secretariat noted that similar decisions were proposed in the SC and RC. On Monday, the Secretariat reported that the group had met and was drafting three decisions on admission of observers to the meetings of the Basel, Stockholm and Rotterdam conventions.

On Friday, 10 May, the COP formally adopted the decision.

Final Decision: In the decision (UNEP/CHW.11/CRP.20), the COP, *inter alia*:

- approves the application form for admission as an observer at the meetings of the BC COP set out in the annex;
- invites any body or agency wishing to be represented as an observer at the meetings of the COP or its subsidiary bodies

to submit to the Secretariat the information required in accordance with the form set out in the annex;

- requests the Secretariat to maintain a list of national and international governmental and non-governmental bodies and agencies represented as observers at meetings of the COP for purposes of inviting observers to those meetings and for official communications;
- also requests the Secretariat to continue to confirm that the bodies or agencies making requests for admission as observers meet the relevant criteria in accordance with the Convention and RoP;
- further requests the Secretariat to report to COP12 on experiences with using the form and the practices followed regarding the admission of observers to meetings of the bodies of the Basel, Rotterdam and Stockholm conventions;
- agrees that the list referred to above shall include those bodies or agencies represented as observers at previous meetings of the COP; and
- requests the Secretariat to continue to maintain this list and to update it after each meeting of the COP.

OFFICIAL COMMUNICATIONS: On Saturday, 4 May, the Secretariat introduced the document (UNEP/CHW.11/21), recalling it adopts a harmonized form for notification of contacts across the SC, BC and RC, and aims to facilitate transmission of information by parties to the Secretariat. She noted the SC COP had adopted a parallel decision.

BC COP11 adopted the draft decision on Thursday, 9 May.

Final Decision: In the decision (UNEP/CHW.11/21), the COP, *inter alia*:

- adopts the revised harmonized form for notification of contacts;
- urges parties to designate focal points and competent authorities, if they have not already done so, using the revised form, and to confirm and provide the Secretariat with updated contact details for existing focal points and competent authorities;
- invites non-parties to designate focal points and competent authorities, if they have not already done so, using the revised form; and
- requests the Secretariat to maintain and update the list of focal points and competent authorities, and to continue to make the list publicly available on the BC website.

The decision contains an annex with the revised form for notification of designation of contacts.

MOU WITH UNEP: On Saturday, 4 May, the Secretariat introduced the draft MoU between UNEP and the BC COP. BC President Perrez informed delegates that, as discussed at SC COP6, a decision on this would be considered at the next COP. Delegates noted the report of the Secretariat.

However, on Friday, 10 May, Budget and Synergies Contact Group Co-Chair Blaha introduced a draft decision on the issue, noting that it was similar to decisions proposed in the other two conventions. The COP formally adopted the decision with no amendment.

Final Decision: In the decision (UNEP/CHW.11/CRP.24), the COP, *inter alia*:

- recognizes that openness, transparency and the application of an equal and harmonized approach to the relationship between

UNEP and the secretariats of MEAs that it administers should apply to the development and implementation of institutional arrangements for the provision of secretariat functions for the respective agreements;

- takes note of the request of the UNEP GC to the Executive Director to deepen consultations with the MEAs for which UNEP provides the secretariat in the preparation, by 30 June 2013, of a full report on the relationship between the UNEP and those MEAs;
- takes note that, in accordance with UN General Assembly resolution 60/283 of 7 July 2006, the UN Secretariat, including UNEP, will implement the International Public Service Accounting Standards, with effect from 1 January 2014, replacing the current UN System Accounting Standards, and acknowledges the potential impact of this resolution on the provision of secretariat functions to the BC, including issues such as the appropriate size of the working capital reserve and, in this context, expresses its regret that the full report was not available to facilitate informed decision-making at COP6;
- invites the Executive Secretary to actively engage in the consultations undertaken by UNEP, bearing in mind the legal autonomy of the BC and the COP's decision-making powers in relation to the provision of secretariat functions;
- requests the Executive Secretary to report on those consultations and their possible impact on the proposed MoU between the Executive Director and the BC COP to the Bureau, during the intersessional period, and to COP12; and
- requests the Executive Secretary to submit a revised draft MoU to COP12.

ADOPTION OF THE REPORT

On Monday, 6 May, delegates adopted the report of the BC COP11 (UNEP/CHW.11/L.1, and Add.2-4), following a page-by-page reading, and acknowledging that UNEP/CHW.11/L.1/Add.1 was adopted at the close of BC COP11.

CLOSURE OF THE MEETING

BC President Perrez gaveled BC COP11 to a close at 11:58pm on Friday, 10 May.

ROTTERDAM CONVENTION COP6

RC COP6 opened briefly on Sunday, 28 April, and adopted the agenda (UNEP/FAO/RC/COP.6/1 and 1/Add.1). RC COP6 continued from Tuesday-Thursday, 7-9 May, when it met in sessions chaired by RC COP6 President Magdalena Balicka (Poland). RC COP6 reconvened briefly on Friday, 10 May to adopt outstanding decisions.

ORGANIZATIONAL MATTERS: Election of Officers: On Tuesday, 7 May, the Secretariat introduced the document (UNEP/FAO/RC/COP.6/2). President Balicka proposed, and parties agreed, to postpone its consideration to a later stage of the COP. President Balicka requested that candidates be nominated by noon on Thursday, 9 May.

On Friday, 10 May, the RC COP approved the nominations to the Bureau of: Mohammed Khashashneh (Jordan) as President; Marie-Pierre Meganck (France) as Rapporteur; and David Kapindula (Zambia), Ekaterine Imerlishvili (Georgia) and Mario Vega (Costa Rica) as Vice Presidents.

On Friday, 10 May, the RC COP approved the nominations to the CRC of regionally nominated experts. These were: for Africa, Amal Lemsioui (Morocco), Nladon Nadjo (Togo), Mohammed Ali Mohammed (Ethiopia), and Enoh Peter Ayuk (Cameroon); for Asia-Pacific, Jinye Sun (China), Nuansri Tayaputch (Thailand), Khalida Bashir (Pakistan) and Mohammed Fauzan Yunus (Malaysia); for Central and Eastern European States, Tatiana Tugui (Moldova) and Magdalena Balicka (Poland); for Western European and other States, Jack Holland (Australia), Jürgen Helbig (Spain), Leonarda Christina van Leeuwen (the Netherlands) and Hang Tang (Canada); and for GRULAC, representatives to be named from Antigua and Barbuda, Honduras and the Dominican Republic.

Organization of Work: On Thursday, 7 May, President Balicka introduced organization of work of RC COP6, as detailed in UNEP/FAO/CHW/RC/POPS/EXCOPS.2/INF/2/Rev.1, and parties agreed.

RULES OF PROCEDURE FOR THE COP

The Secretariat introduced the document (UNEP/FAO/RC/COP.6/3), noting that when RC COP1 adopted its RoP, it had left part of rule 45 on decision-making in square brackets. President Balicka suggested, and parties agreed, to defer the issue to RC COP7.

MATTERS RELATED TO THE IMPLEMENTATION OF THE CONVENTION

STATUS OF IMPLEMENTATION: On Wednesday, 8 May, the Secretariat introduced the document containing information on the implementation of the RC (UNEP/FAO/RC/COP.6/4). The EU, supported by Belize, proposed an amendment to the decision to reference Article 12 and to “request exporting and importing countries to fully implement Article 12 of the Convention by sending export notifications and acknowledging their receipt.” On Friday, 10 May, delegates formally adopted the amended decision.

Final Decision: In the decision (UNEP/FAO/RC/COP.6/4), the COP, *inter alia*:

- takes note of the information on the implementation of the RC by parties and progress achieved between 1 November 2010 and 31 October 2012;
- reminds parties of their obligations to ensure the effective implementation of the RC, including the procedures under Articles 5, 6 and 10, and in particular to encourage parties to exchange information in accordance with the provisions of the Convention by submitting notifications of final regulatory action for banned or severely restricted chemicals; and
- requests exporting and importing countries to fully implement Article 12 of the Convention by sending export notifications and acknowledging their receipt.

Notifications of final regulatory action: On proposals to increase the number and guidance to assist parties in the preparation of notifications of final regulatory action, the Joint Secretariat introduced UNEP/FAO/RC/COP.6/16. The EU and Switzerland expressed support.

On Friday, 10 May, delegates formally adopted the decision.

Final Decision: In the decision (UNEP/FAO/RC/COP.6/16), the COP, *inter alia*:

- takes note of the activities of the Secretariat with regard to

notifications of final regulatory action to ban or severely restrict pesticides and industrial chemicals;

- requests the Secretariat to implement the proposals to increase the number of notifications of final regulatory action set out in Annex I; and
- takes note of the guidance to assist parties in preparing notifications of final regulatory action set out in Annex II.

Exchanging information on exports and export

notifications: On exchanging information on exports and export notifications, the Joint Secretariat introduced UNEP/FAO/RC/COP.6/5. The EU suggested calling upon parties to gather information and complete the questionnaires. China suggested additional editorial changes to the EU’s suggested text, and the EU agreed.

With those amendments, on Friday, 10 May, delegates formally adopted the decision.

Final Decision: In the decision (UNEP/FAO/RC/COP.6/5), the COP, *inter alia*:

- requests the Secretariat to prepare questionnaires for collection of the information indicated in paragraphs 6 and 7;
- invites parties to complete the questionnaires using available information; and
- requests the Secretariat to compile the information received from parties and prepare a report on this information for consideration at COP7.

CHEMICAL REVIEW COMMITTEE (CRC): On Wednesday, 8 May, the Secretariat introduced the documents (UNEP/FAO/RC/COP.6/6, EXCOPS.2/INF/17). CRC Chair Hala Al-Easa (Qatar) reported the major results of the eighth CRC meeting, including, *inter alia*: deciding to recommend to the COP six chemicals be listed in Annex III to the RC, and finalization of the text of related draft decision guidance documents (DGDs); deciding to strengthen cooperation and coordination between the CRC and the POPRC such as holding back-to-back meetings of the two committees; and nominating 14 experts as CRC members.

President Balicka then invited parties to consider the draft decision on the CRC proposed in document UNEP/FAO/RC/COP.6/6. CropLife International called on the COP to revise the rule that mandates the CRC to only consider issues put forward by observers if they are taken up by parties, because he said this would allow the CRC to consider even more substantive issues. Delegates took note of this.

Norway proposed a paragraph related to back-to-back meetings of the CRC and the POPRC, and the Secretariat proposed revised text on election of the new CRC Chair. With these amendments, the COP adopted this decision on Friday, 10 May.

Final Decision: In the decision (UNEP/FAO/RC/COP.6/6), the COP, *inter alia*:

- takes note of decision CRC-8/3 on trichlorfon and the workplan for the preparation of the draft DGD;
- notes the decision of the bureaus of the CRC and the POPRC to hold the meetings of the two committees back to back during the two-week period between 14 and 25 October 2013, as well as the suggestion that a joint session be held during that period;

- appoints the 14 designated experts to serve as members of the Committee;
- extends the expiry date of the terms of office of the current 17 members of the Committee from 30 September 2013 until 30 April 2014 and that of the other 14 members of the Committee from 30 September 2015 until 30 April 2016; and
- invites parties and others in a position to do so to contribute to the work of the Committee and to provide financial support for the organization of the orientation workshop.

CONSIDERATION OF CHEMICALS FOR INCLUSION IN ANNEX III TO THE CONVENTION: Azinphos-methyl:

Delegates addressed this issue in plenary on Tuesday, 7 May (UNEP/FAO/RC/COP.6/7, Add.1 and Add.2, INF/4 and INF/14). Canada, the EU, Venezuela, the Philippines, Iran, Switzerland, the Russian Federation, Kenya on behalf of the African Group, Malaysia, Lebanon, Kuwait and Paraguay expressed support for including azinphos-methyl in Annex III.

RC COP6 adopted the draft decision on Friday, 10 May.

Final Decision: In the decision (UNEP/FAO/RC/COP.6/7), the COP, *inter alia*:

- decides to amend Annex III to the RC to list: CAS number Category azinphos-methyl 86-50-0 Pesticide;
- decides that this amendment shall enter into force for all parties on 10 August 2013; and
- approves the draft DGD on azinphos-methyl set out in the annex to the document (UNEP/FAO/RC/COP.6/7/Add.1)

PentaBDE: On Tuesday, 7 May, the Joint Secretariat introduced documents (UNEP/FAO/RC/COP.6/8, Add.1 and Add.2, and INF/5). Many expressed support for listing pentaBDE and pentaBDE in commercial mixtures.

Canada, supported by Australia, expressed support, noted that listing “mixtures” is new to the RC, and suggested establishing a contact group to work on clearly naming the chemicals and mixtures to be included in Annex III. Norway stated its preference to list pentaBDE in commercial mixtures, rather than specifying the congener.

IPEN recalled that the SC granted a recycling exemption resulting in continued exposure and congratulated parties for listing this “living” chemical.

President Balicka noted general agreement to list pentaBDE and pentaBDE in commercial mixtures, and tasked the contact group on Listing of Chemicals, co-chaired by Hala Al-Easa (Qatar) and Bjorn Hansen (EU), to provide clarity on how to refer to the chemical.

On Wednesday, 8 May, President Balicka introduced the draft decision on commercial pentaBDE, including tetra- and pentaBDE (UNEP/FAO/RC/COP.6/CRP.5), noting the additional table defining the specific mixtures to be listed under Annex III.

On Friday, 10 May, the COP formally adopted this decision.

Final Decision: In the decision (UNEP/FAO/RC/COP.6/CRP.5), the COP:

- amends Annex III to the RC to list commercial pentaBDE including industrial tetra-BDE and industrial pentaBDE;
- decides that this amendment shall enter into force for all parties on 10 August 2013; and
- approves the draft DGD on pentaBDE and its commercial mixtures.

Octabromodiphenyl ether (octaBDE) commercial mixtures: On Tuesday, 7 May, the Joint Secretariat introduced the documents on octaBDE (UNEP/FAO/RC/COP.6/9, Add.1 and Add.2, and INF/6). The EU, Norway, the Philippines, Switzerland and the Russian Federation supported listing octaBDE. Mauritania asked about the relevance of including this substance under the RC, and President Balicka noted the importance of having information on the substance.

Guinea, for the African Group, called for capacity building to “tackle these mixtures.” Lebanon stressed the need for guidelines on octaBDE. IPEN noted the expertise available to answer questions on listing individual substances as well as on listing mixtures. Norway proposed discussing octaBDE and pentaBDE in the same contact group. Jordan underscored the importance of Material Safety Data Sheets. The issue was forwarded to the contact group on Listing of Chemicals.

On Wednesday, President Balicka introduced the revised draft decision on commercial octaBDE mixtures (UNEP/FAO/RC/COP.6/CRP.4), which the COP adopted on Friday, 10 May.

Final Decision: In the decision (UNEP/FAO/RC/COP.6/CRP.4), the COP:

- amends Annex III to the RC to list: commercial octabromodiphenyl ether, including hexabromodiphenyl ether and heptabromodiphenyl ether;
- decides that this amendment shall enter into force for all parties on 10 August 2013; and
- approves the draft DGD on octaBDE commercial mixtures set out in the annex to document (UNEP/FAO/RC/COP.6/CRP.4).

PFOS and its related chemicals: The Secretariat introduced the documents (UNEP/FAO/RC/COP.6/10, Add.1 and Add.2) on Tuesday, 7 May. A number of countries including Australia, Norway, the Philippines, the EU, Malaysia, Togo, and Jordan supported the listing. Noting that PFOS and its related chemicals are used for many applications in his country, India said he could not support listing.

IPEN underscored the importance of the PIC Procedure, noting that as PFOS and its related chemicals are used extensively, and therefore traded, the PIC Procedure applies.

In plenary on Thursday, 9 May, the Joint Secretariat presented a table clarifying the CAS numbers for PFOS and its related chemicals. As orally amended, the COP adopted the decision.

Final Decision: In the final decision (UNEP/FAO/RC/COP.6/10), the COP:

- amends Annex III to the RC to list perfluorooctane sulfonic acid, perfluorooctanesulfonates, perfluorooctanesulfonamides and perfluorooctanesulfonyls;
- decides that this amendment shall enter into force for all parties on 10 August 2013; and
- approves the DGD on perfluorooctane sulfonic acid, perfluorooctanesulfonates, perfluorooctanesulfonamides and perfluorooctanesulfonyls.

Paraquat: On Tuesday, 7 May, the Secretariat introduced the documents (UNEP/FAO/RC/COP.6/11, Add.1 and Add.2) on the inclusion in Annex III of liquid formulations (emulsifiable concentrate and soluble concentrate) containing paraquat, and its consideration as a severely hazardous pesticide formulation.

Kenya for the African Group, Bahrain, Malaysia, Australia, Qatar, Venezuela, Lao PDR, Dominican Republic, the Russian Federation, the US, Pesticide Action Network, among others, supported the listing. Many countries praised Burkina Faso for initiating the proposal and the country's efforts to document paraquat's adverse effects on human health and the environment. Jamaica and the EU noted that listing in Annex III does not denote a ban on the use of a substance. India, Guatemala and Honduras opposed the listing. CropLife International suggested the COP put aside the listing proposal and direct the CRC to develop better guidelines and criteria on its listing. Iran called for a contact group to discuss the challenges posed by listing of paraquat.

The COP forwarded further work on this issue to the contact group on Listing of Chemicals. On Wednesday, Co-Chair Hansen reported to plenary that parties opposed to listing paraquat had concerns on the science, alternatives and implications for trade and a small drafting group was working on a draft decision reflecting the lack of consensus for listing it at COP6, and indicating that this issue should be reconsidered at COP7.

On Thursday in plenary, the Joint Secretariat introduced the revised draft decision on the way forward for considering paraquat (UNEP/FAO/RC/COP.6/CRP.6). Co-Chair Al-Easa reported that the drafting group agreed that the Convention's procedural and technical aspects were met, but there was no consensus on listing. Zambia, on behalf of the African Group, and supported by Switzerland, Cuba and Malaysia, requested the contact group to reconvene to deliberate further. Norway and IPEN agreed and said that discussions were disturbed by the "misconduct" of one person who "misrepresented himself" on behalf of a party. India disagreed that the criteria to list were met because there was no information regarding alternatives.

On Thursday, the contact group reconvened with a mandate to "discuss the way forward for listing paraquat." Co-Chair Hansen clarified that the listing would be of a specific pesticide formulation containing paraquat, not of technical paraquat itself. Several participants intervened to resolve confusion about the objective of the RC, emphasizing that the purpose of listing is to increase the knowledge of importers and enable safer use, not to ban substances. While several participants proposed flexible approaches intended to facilitate listing, three parties opposed listing, with two emphasizing there was no room for negotiation. That evening, in plenary, Co-Chair Hansen reported that the group had failed to reach consensus on listing paraquat.

On Friday, the COP formally adopted the decision. The EU expressed its "genuine disappointment" with the failure to list paraquat, stating that the costs of listing are negligible, while the costs of not listing are high. Zambia, for the African Group, reiterated that paraquat should be included in Annex III, pointing to cases on the continent of negative impacts on human health from paraquat and suggesting there are many undocumented cases of harm.

Final Decision: The final decision (UNEP/FAO/RC/COP.6/CRP.6) contains a preamble, *inter alia*:

- acknowledging the importance of not undermining human health and the environment in different regions of the world;
- noting with appreciation the work of the CRC in its consideration of liquid formulations (emulsifiable concentrate

and soluble concentrate) containing paraquat dichloride at or above 276 g/L, corresponding to paraquat ion at or above 200 g/L, in particular the technical quality and comprehensiveness of the draft DGD;

- considering that the draft DGD should be used for information exchange purposes;
- having considered the recommendation of the CRC to make liquid formulations (emulsifiable concentrate and soluble concentrate) containing paraquat dichloride at or above 276 g/L, corresponding to paraquat ion at or above 200 g/L, subject to the PIC Procedure and accordingly to list it in Annex III to the RC,
- taking into account that the COP is not yet able to reach consensus on whether to list liquid formulations (emulsifiable concentrate and soluble concentrate) containing paraquat dichloride at or above 276 g/L, corresponding to paraquat ion at or above 200 g/L, in Annex III to the Convention; and aware that the failure to reach consensus so far has created concerns in most parties.

Following this, the COP:

- decides that the agenda for its next ordinary meeting shall include further consideration of a draft decision to amend Annex III to the RC to include liquid formulations (emulsifiable concentrate and soluble concentrate) containing paraquat dichloride at or above 276 g/L, corresponding to paraquat ion at or above 200 g/L;
- decides that the requirements set out on the process for listing in Annex III to the Convention have been met; and
- encourages parties to make use of all available information on liquid formulations (emulsifiable concentrate and soluble concentrate) containing paraquat dichloride at or above 276 g/L, corresponding to paraquat ion at or above 200 g/L, including the draft DGD, to assist others, in particular developing countries and countries with economies in transition, to make informed decisions regarding its import and management, and to inform other parties of those decisions using the information exchange provisions in Article 14 of the Convention.

Chrysotile asbestos: On Tuesday, 7 May, the Secretariat introduced UNEP/FAO/RC/COP.6/12 and Add.1. President Balicka recalled that parties agreed at COP3 that the procedures set out in Articles 5 and 7 for listing had been followed.

Among others, Venezuela, Lebanon, Moldova, Uruguay, Nicaragua, Switzerland, Oman, Israel, Bahrain, Jordan, Mauritius, New Zealand, Libya, Dominican Republic, Argentina, Malaysia, Norway, Mongolia, the US, and Indonesia expressed support for listing chrysotile asbestos in Annex III. Kenya, on behalf of the African Group, said that, with the exception of Zimbabwe, the group supports the listing.

The EU emphasized that making chrysotile asbestos subject to the PIC Procedure does not constitute a ban on its use. Australia stated that, if agreement to list was not reached at COP6, they were open to working with other parties to explore "all other options" to help the RC meet its objectives. WHO supported the listing and said that controlled use of chrysotile asbestos is not possible and highlighted that alternatives are available and affordable. Canada informed the COP they would not oppose listing chrysotile asbestos in Annex III.

Opposing the listing, Zimbabwe stated it was “scientifically unjust” to list chrysotile asbestos. Ukraine and Kazakhstan said a convincing scientific basis does not exist to support the listing. Viet Nam asserted there is no link between chrysotile asbestos and asbestosis. Kyrgyzstan said the substance can be used safely.

India did not support listing, citing the utility of the substance, the findings of “no hazard” in domestic studies, and increased trade costs of the PIC Procedure. Noting past discussions failed to reach consensus, the Russian Federation suggested removing the issue from further consideration by the COP.

The issue was then taken up by the contact group on Listing of Chemicals. On Wednesday, 8 May, Co-Chair Hansen reported to plenary on that parties opposed to listing chrysotile asbestos had concerns on the science, alternatives and implications for trade. He noted that there was agreement in the contact group that the concerns “were not part of the Convention’s normal working practices,” but said that this did not deter those opposed to listing. He reported that there was no consensus to list chrysotile asbestos.

On Thursday, COP6 returned to this issue and President Balicka said since there was no agreement on listing chrysotile asbestos, COP6 could not adopt a decision and the matter is automatically on the agenda of COP7.

The Russian Federation, supported by Zimbabwe, Kyrgyzstan, Kazakhstan and India, reiterated their opposition to listing chrysotile asbestos. Australia, supported by the EU and 16 other countries, stated that chrysotile asbestos meets all the criteria for listing in the RC and the delay in action will have huge costs for human health and the environment, and urged parties against the listing to reconsider their position. He requested these views be reflected in the COP6 report. As proposed by two delegations, President Balicka asked those who supported the listing to raise their flags, and many did so.

The Russian Federation objected to the procedure of asking parties to raise their flags. China agreed, but noted their support for listing chrysotile asbestos.

NON-COMPLIANCE: This discussion was taken up by the simultaneous ordinary sessions, in the section on compliance, (see page 10). It was then discussed together with the SC COP6 decisions (see page 19).

FINANCIAL RESOURCES: This item was discussed in the simultaneous ordinary sessions, on Monday, 29 April and was subsequently taken up in the Technical Assistance and Financial Resources Contact Group. On Friday, 10 May, COP6 formally adopted the draft decision on possible options for lasting and sustainable financial mechanisms (UNEP/FAO/RC/COP.6/CRP.1).

Final Decision: In its decision (UNEP/FAO/RC/COP.6/CRP.1), the RC COP, *inter alia*:

- takes note of the action taken by the Secretariat pursuant to decision RC-3/5; and
- requests the Secretariat to continue its collaboration with relevant partners, such as the GEF and its implementing agencies and the participating organizations of the Inter-Organization Programme for the Sound Management of Chemicals, to ensure that provisions relevant to the RC are taken into account in the development of technical assistance projects and activities in the follow-up to decision RC-3/5.

TECHNICAL ASSISTANCE: This item was discussed in simultaneous ordinary sessions of the COPs on Sunday, 28 April and was subsequently taken up in a contact group that met daily from Monday, 29 April to 10 May. (See page 9.)

On Wednesday, 8 May, the Joint Secretariat introduced the draft decision on technical assistance (UNEP/FAO/RC/COP.6/CRP.2), and on Friday, 10 May, delegates adopted the decision.

Final Decision: In its decision (UNEP/FAO/RC/COP.6/CRP.2), the COP, *inter alia*:

- takes note of the information provided by the Secretariat on technical assistance for implementation of the RC;
- invites developing country parties and parties with economies in transition to continue to inform the Secretariat of their needs in terms of technical assistance and capacity building, difficulties in implementing the RC, and any other observations in that regard;
- invites developed country parties and others with capacity to do so to continue to provide information to the Secretariat on available technical assistance and capacity building they could provide;
- requests the Secretariat to develop online questionnaires for the collection of information referred to in paragraphs 2 and 3 of the document;
- takes note of the technical assistance programme set out in document UNEP/FAO/RC/COP.6/INF/19 and requests the Secretariat to take into account the elements contained therein when carrying out its work; and
- requests the Secretariat to submit a report to COP7 on progress in the implementation of the technical assistance and capacity-building programme, and to prepare a technical assistance programme for the biennium 2016-2017.

TRADE: The Joint Secretariat introduced the document (UNEP/FAO/RC/COP.6/17), on cooperation with the World Trade Organization (WTO), explaining the proposed action, *inter alia*, requests the Secretariat to continue monitoring the work of the WTO’s Committee on Trade and Environment (CTE) and CTE Special Session and to follow-up on its application for observer status.

The EU supported the proposed request. Pakistan supported cooperation with the WTO, and recommended additional projects, workshops and technical assistance activities to, among other things, enhance information on labeling and regional efforts on trade and the environment.

President Balicka proposed, and COP6 agreed, to take note of the request to the Secretariat in the report of the meeting.

PROGRAMME OF WORK OF THE SECRETARIAT AND ADOPTION OF THE BUDGET

On Friday, 10 May, Gregor Filyk (Canada), Co-Chair of the Budget and Synergies Contact Group, introduced the budget for the biennium 2014-2015 (UNEP/FAO/RC/COP.6/CRP.8 and Add.1). The COP adopted the decision without amendment.

Final Decision: In its decision (UNEP/FAO/RC/COP.6/CRP/8 and Add.1), the COP, *inter alia*:

- approves the programme budget for the RC for the biennium 2014-2015;
- authorizes the executive secretaries of the RC to make commitments in an amount up to the approved operational budget, drawing upon available cash resources;

- invites the governing bodies of UNEP and the FAO to continue their financial and other support for the operation of the Convention and its Secretariat in 2014-2015;
- welcomes the continued annual contribution by Italy and Switzerland, the host countries, of EUR600,000 each to the Secretariat to offset planned expenditures;
- takes note of the intention of the Government of Switzerland to reallocate a portion of its contribution from the General Trust Fund to the Voluntary Special Trust Fund;
- notes that, for the period 2014-2015, 75% of Switzerland's annual host country contribution of EUR600,000 will be allocated to the General Trust Fund, while 25% will be allocated to the Voluntary Special Trust Fund;
- notes that for the period 2016-2017 and beyond, less than 75% of Switzerland's annual host country contributions will be allocated to the General Trust Fund and more than 25% will be allocated to the Voluntary Special Trust Fund;
- adopts the indicative scale of assessments for the apportionment of expenses for the biennium 2014-2015 and authorizes the executive secretaries to adjust the scale to include all parties for which the Convention enters into force before 1 January 2014 for 2014 and before 1 January 2015 for 2015;
- decides to maintain the working capital reserve at the level of 15% of the annual average of the biennial operational budgets for 2014-2015;
- notes with concern that a number of parties have not paid their contributions to the operational budgets for 2010 and prior years and urges parties to pay their contributions promptly by or on 1 January of the year to which the contributions apply;
- decides, with regard to contributions due from 1 January 2010 onwards, that no representative of any party whose contributions are in arrears for two or more years shall be eligible to become a member of the Bureau of the COP or any subsidiary body of the COP; this shall not apply to parties that are least developed countries or small island developing states or to parties that have agreed on and are respecting a schedule of payments in accordance with the financial rules;
- decides to further consider additional incentives and measures to address arrears in core budget contributions to the Convention in an effective and efficient manner at the next meeting of the COP;
- requests the Secretariat to present options for incentives and measures, including information on those applied under other multilateral environmental agreements to deal with such challenges;
- stresses the need to ensure that the Voluntary Special Trust Fund requirement presented in the budget is realistic and represents agreed priorities of all parties so as to encourage contributions from donors;
- notes that the Voluntary Special Trust Fund requirement presented in the budget represents its best efforts to be realistic and reflects priorities agreed by all parties and urges parties and invites non-parties and others to make voluntary contributions to the Voluntary Special Trust Fund so as to encourage contributions from donors;
- urges parties, and invites others in a position to do so, to contribute urgently to the Voluntary Special Trust Fund with a view to ensuring the full and effective participation of developing country parties, in particular the least developed countries and small island developing states, and countries with economies in transition in the meetings of the COP;
- requests the executive secretaries further to enhance efficiency in the use of financial and human resources in accordance with the priorities set by the COP and to report on the outcome of their efforts in that regard;
- requests the executive secretaries to prepare a budget for the biennium 2016-2017, for consideration by COP7;
- notes the need to facilitate priority-setting by providing parties with timely information on the financial consequences of different options and, to that end, requests the executive secretaries to include in the proposed operational budget for the biennium 2016-2017 two alternative funding scenarios that take account of any efficiencies identified and are based on: their assessment of the required changes in the operational budget to finance all proposals before the COP that have budgetary implications and maintaining the operational budget at the 2014-2015 level in nominal terms; and
- recalls its earlier request to the Executive Director of UNEP to request an audit by the Office of Internal Oversight Services on coordination and cooperation among the Basel, Rotterdam and Stockholm conventions and requests the Executive Director to present the report on that audit to COP7.

OTHER MATTERS

OFFICIAL COMMUNICATIONS: On Wednesday, 8 May, the Joint Secretariat introduced the document on official communications (UNEP/FAO/RC/COP.6/18), noting that the form for notifying the Secretariat for contact points and designated national authorities (DNAs) has been harmonized with forms for the SC and BC, and adopted without amendment by SC COP6 and BC COP11. The EU supported the revised harmonized form, noting the importance of updated contact details to ensure parties receive information on hazardous chemicals and pesticides.

Canada, supported by Burkina Faso, proposed an amendment to the nomination form to specify under the RC whether the DNAs are for "pesticides" or "industrial chemicals." Several views were expressed on the terms used in these categories, with some parties supporting deleting both boxes. Delegates eventually agreed to reflect the content of the boxes in a footnote. With that amendment, the COP adopted the decision on official communications on Friday, 10 May.

Final Decision: In its decision (UNEP/FAO/RC/COP.6/18), the COP, *inter alia*:

- adopts the revised harmonized form for notification of contacts;
- urges parties to designate official contact points and DNAs, if they have not already done so, using the revised form, as well as to confirm and provide the Secretariat with updated contact details for existing official contact points and DNAs; and
- requests the Secretariat to maintain and update, as necessary, the list of official contact points and DNAs, and to continue to make the list publicly available on the Convention website.

ADMISSION OF OBSERVERS: This issue was linked with discussions on admission of observers under the BC and SC. On Wednesday, 8 May, the Joint Secretariat introduced the

documents (UNEP/FAO/RC/COP.6/CRP.3 and INF/13/ Rev.1), based on revisions to the initial draft decision (UNEP/FAO/RC/COP.6/19), which had not been presented to the COP, but had been revised, in conjunction with parallel decisions in the SC and BC, by an informal group. The Joint Secretariat noted the revised draft decision aimed to align practices with the SC and BC.

On Thursday, 9 May, the COP formally adopted the decision without amendment.

Final Decision: In the decision (UNEP/FAO/RC/COP.6/CRP.3), which contains the form for application for admission as an observer as an annex, the COP, *inter alia*:

- approves the application form for admission as an observer at meetings of the COP;
- invites any body or agency wishing to be represented as an observer at the meetings of the COP, or, as appropriate, its subsidiary bodies, to submit to the Secretariat the information required in accordance with the form set out in the annex for consideration by the COP at its next ordinary meeting;
- requests the Secretariat to maintain a list of national and international governmental and non-governmental bodies and agencies represented as observers at meetings of the COP, for the purpose of inviting observers to those meetings and for official communications with observers during the periods between meetings of the COP and its subsidiary bodies;
- requests the Secretariat, within the context of its work to maintain the list of observers, to continue to confirm that the bodies or agencies making requests for admission as observers meet the relevant criteria in accordance with the Convention and the RoP;
- requests the Secretariat to report to COP7 on experiences with using the application form and the practices followed regarding the admission of observers to meetings of the bodies of the BC, RC and SC;
- agrees that the list of observers shall include those bodies or agencies represented as observers at previous meetings of the COP; and
- requests the Secretariat to continue to maintain the list of observers and to update it after each ordinary meeting of the COP.

MOU BETWEEN UNEP, FAO AND THE COP: On Wednesday, 8 May, the Secretariat introduced the draft MoU between UNEP, FAO and the COP (UNEP/FAO/RC/COP.6/INF/10). President Balicka noted that this issue was under consideration in the contact group on Budget and Synergies, and delegates agreed to revisit this matter later in the meeting.

On Friday, 10 May, Budget and Synergies Contact Group Co-Chair Karel Blaha introduced this draft decision (UNEP/FAO/RC/COP.6/CRP.7). The COP adopted the decision.

Final Decision: In the decision (UNEP/FAO/RC/COP.6/CRP.7), the COP, *inter alia*:

- notes the proposal for the development of MoUs between the Basel and Stockholm COPs and UNEP's Executive Director concerning the provision of secretariat functions;
- recalls its decision RC-2/5, by which the COP approved the arrangements for the performance of the secretariat functions of the Rotterdam Convention specified in an MoU between the FAO Director-General and UNEP's Executive Director;

- recognizes that openness, transparency and the application of an equal and harmonized approach to the relationship between the UNEP and the MEA secretariats that it administers should apply to the development and implementation of institutional arrangements for the provision of the secretariat functions for the respective agreements;
- takes note of the request of UNEP GC to the Executive Director to deepen consultations with the MEAs for which UNEP provides the secretariat, in the preparation, by 30 June 2013, of a full report on the relationship between the UNEP and the relevant MEAs, and for the submission of a final report on that subject to UNEP's Environment Assembly at its 2014 session and to the governing bodies of the MEAs;
- takes note that, in accordance with UN General Assembly resolution 60/283 of 7 July 2006, the UN Secretariat, including UNEP, will implement the International Public Service Accounting Standards, with effect from 1 January 2014, replacing the current UN System Accounting Standards, and acknowledges the potential impact of this resolution on the provision of secretariat functions to the Convention including issues such as the appropriate size of the working capital reserve, and, in this context, expresses its regret that the full report (mentioned above) was not available to facilitate informed decision-making at COP6;
- invites the executive secretaries to actively engage in the consultations undertaken by UNEP, bearing in mind the legal autonomy of the RC and the COP's decision-making powers in relation to the provision of secretariat functions;
- requests the executive secretaries to report on those consultations and their possible impact on the proposed MoU between the Executive Director and the RC COP to the Bureau, during the intersessional period, and to COP7; and
- requests the executive Secretaries to submit a revised draft MoU to COP7.

CLOSURE OF THE MEETING

The Secretariat introduced the meeting report for COP6 on Friday, 10 May (UNEP/FAO/RC/COP.6/L.1, L.1/Add.1 and 2). Luis Vayas-Valdivieso (Ecuador), COP6 Rapporteur, reviewed the documents. The EU suggested adding "when present in the commercial product" to references to pentaBDE in paragraph 41 and octaBDE in paragraph 49. With these changes, COP6 adopted the report.

President Balicka thanked delegates for their cooperation and effort. She gavelled the meeting to a close at 11:51pm.

A BRIEF ANALYSIS OF THE MEETING

"We're all learning here," was a common refrain at the first joint meeting of the ordinary Conferences of the Parties (COPs) to the Basel, Stockholm and Rotterdam conventions and the second meeting of the Extraordinary Meeting of the COPs (ExCOPs2), in Geneva, Switzerland. Experiments come naturally to chemicals and wastes experts, so perhaps it is no surprise that this is the first of the multilateral environmental agreement (MEA) clusters to apply the science of experimentation to the political art of synergies. This meeting, featuring ExCOPs2, simultaneous ordinary meetings and individual meetings of each

of the three COPs, lit the Bunsen burner under a process started over six years ago.

The two-week experiment had some beneficial outcomes, including cost savings and the facilitation of learning and cooperation across conventions. However, the approach reduced three necessary ingredients of multilateralism: time, energy and clarity. This brief analysis considers the key outcomes of each of the three COPs in the context of synergy efforts, drawing attention to the benefits and challenges resulting from this innovative approach.

STOCKHOLM CONVENTION COP6: STEADFAST AMID SYNERGIES

One of the most significant outcomes of SC COP6 was its decision to list hexabromocyclododecane (HBCD), a brominated flame retardant, in Annex A. Listing chemicals is the Convention's core work, and the addition of the 23rd POP demonstrated the Stockholm Convention's ability to address newly identified hazards to human health and the environment. The listing of HBCD proved to be relatively uncontroversial, and was facilitated by the POPRC's recommendation of a five-year exemption for continued production and use in expanded and extruded polystyrene (EPS and XPS). While some countries and NGOs opposed this provision, which exempts 70-90% of current production and use of HBCD, representatives of the HBCD industry contended that the five-year exemption is necessary to facilitate the transition to alternatives, which are not currently available in sufficient quantities to meet global demand.

Within the core work of listing chemicals and implementation were two lower profile but significant achievements. The first was the rejection of the EU's proposal to allow recycling of products containing HBCD. Such recycling would allow this POP to be mixed into the waste stream and recycled into new products, thus extending exposure by a century or more, according to some estimates. At COP5, in 2011, delegates bowed to the interests of developed countries with significant recycling industries and allowed materials containing certain brominated diphenyl ethers (BDEs) to be recycled. Several delegates hailed the rejection of similar provisions at COP6, citing this as evidence that the COP has "learned from past mistakes."

The second achievement was embedded in two decisions that reference the importance of labeling products containing POPs. Part VII of the decision to list HBCD requires those parties registering exemptions for continued production and use to take measures to ensure that polystyrene containing HBCD "can be easily identified by labeling or other means throughout its life-cycle." This provision will facilitate separation of articles containing HBCD from others in the waste stream, preventing the chemical from being recycled into new products. Relatedly, in a decision on implementation plans, COP6 agreed to encourage parties to use a guidance document that sets out national approaches to labeling. Inclusion of such language marks a step toward more effective implementation of parties' obligations, as set out in Article 6, to prevent POPs from being reused, intentionally or otherwise.

BASEL COP11: JUST ONE MORE DAY?

While all three COPs were officially open for the full two weeks of the meeting, parties addressed most of the work of

each COP in turn, suspending one to make way for the next. The Basel Convention—the oldest of the three conventions—convened after the Stockholm Convention, requiring delegates to turn their attention from POPs to transboundary movements of hazardous and other wastes. Parties to the Basel Convention arrived at this innovative meeting riding the momentum of a highly successful COP10 in Cartagena that moved implementation efforts forward. In Geneva, however, the momentum seemed to decline; despite some gains on implementation efforts, parties expressed disappointment that they could not agree on technical guidelines for e-waste.

Many touted completion of guidelines on e-waste as an important way for the Basel Convention to demonstrate an ability to address new and complex waste issues. At COP10, this issue was deferred to allow intersessional work, and many hoped COP11 could achieve agreement. However, this was not to be, as even after prioritizing this work in the contact group on technical matters, parties decided intersessional work was necessary to reach agreement.

The unresolved element of the technical guidelines was paragraph 26(b), on situations in which used equipment should or should not be considered waste. The contact group considered five options, but could not reach agreement. That paragraph was tied to other issues, and some parties believed that if agreement on one proposal could be reached, the rest would fall into place. Two delegates said they thought the guidelines were "getting close," and lamented the compressed schedule of BC COP11, saying that perhaps only one more day of discussion was needed.

In this case, it was not effort but time that appeared to be the barrier to achieving agreement. A difficult and important "what if" question arose: did the implementation of synergies in this meeting affect the substantive achievements of the Basel COP? The contact group worked diligently, but with only three days per COP, and a limit to the number of concurrent contact group meetings delegations could accommodate, parties were pressed for time. Several delegates suggested the compressed schedule might have affected parties' ability to reach agreement on the most complex issues.

Despite the inability to achieve agreement on the technical guidelines, BC COP11 advanced its work on implementation. The new environmentally-sound management framework provides a common understanding of ESM, including waste prevention, minimization, reuse, recycling, recovery and final disposal. It represents completion of a key component of the Indonesian-Swiss country-led initiative to improve the Basel Convention's effectiveness, which reinvigorated the Convention just two years ago. Furthermore, the new, aptly-named network, "ENFORCE," seeks to promote compliance with provisions on illegal trafficking of hazardous wastes through better implementation and enforcement of national laws. ENFORCE and the ESM framework maintained COP10's momentum on implementation; however, perhaps understandably, the development of new policies moved at a slower pace.

ROTTERDAM COP6: MISTAKEN IDENTITY?

The outcomes of Rotterdam Convention COP6 were mixed, and demonstrated the challenges of achieving consensus on economically and environmentally important issues. The outcomes also reflected apparent confusion about—or deliberate

obfuscation of—the aim of listing chemicals in the annexes of the Convention and the criteria for doing so. While RC COP6 successfully listed azinphos-methyl, pentaBDE commercial mixtures, octaBDE commercial mixtures, and PFOS and its related chemicals, it was unable to achieve consensus on the two controversial substances under consideration: paraquat and chrysotile asbestos. In both cases, opponents cited scientific uncertainty and lack of available alternatives. Both reasons may be central to the SC, but are extraneous to RC listing criteria, as well as its function: to facilitate information exchange among importers and exporters of hazardous substances.

In the discussions on paraquat, the two parties who refused to support listing cited economic concerns about production and use. One also questioned the scientific basis for listing, and cited procedural concerns about the review conducted by the CRC. While many delegates took these concerns at face value and repeatedly explained the purpose of the PIC Procedure and criteria for listing a substance, ultimately it was clear that both opponents were concerned about possible economic ramifications of listing a chemical that they produce and trade internationally. One country was straightforward about these concerns, but the other attempted to block the listing by challenging the credibility of the CRC's decision-making procedures and, at times, misconstruing the CRC's function and procedures of review.

Similarly, the discussion of chrysotile asbestos did not lead to consensus. Canada, a longstanding opponent of listing this substance, said it would not stand in the way of listing this year, a change of position that was loudly applauded in plenary. However, seven other countries (Zimbabwe, Ukraine, Kazakhstan, Viet Nam, Kyrgyzstan, India and Russia) stepped into the void left by Canada. The first six said chrysotile should not be made subject to the PIC Procedure because it is not hazardous to health or can be used safely. As with paraquat, the emphasis on the scientific basis for listing suggests a fundamental confusion about the functions of the Stockholm and Rotterdam conventions, as well as the work of their respective technical advisory bodies and the criteria they apply.

The Stockholm Convention's POPRC reviews chemicals in a three-stage process to determine whether they meet the scientific criteria for categorization as POPs (nominated substances must be persistent, bioaccumulative, toxic, and subject to long-range environmental transport). The SC COP then considers POPRC's science-based recommendation and decides on appropriate regulatory action, such as banning further production and use of the substance (with the flexibility of time time-limited exemptions).

The function of the Rotterdam Convention is entirely different. While the SC seeks to reduce or eliminate production and use of a specific category of chemicals, the RC seeks to facilitate information exchange among countries engaging in the trade of pesticides and industrial chemicals. Chemicals are considered for listing in Annex III when notifications of final domestic regulatory action received from two PIC regions meet the criteria of the Convention. The CRC reviews the submitted information and decides whether or not to recommend listing. Crucially, unlike the POPRC, members of the CRC do not draft a risk profile or consider whether the substance in question meets specified scientific thresholds at which substances are considered

to have adverse effects on human health and the environment. Thus, the RC does not consider levels of risk to human health and the environment; rather, it focuses making parties aware of regulatory actions taken by other parties.

Ultimately the listing of both paraquat and chrysotile asbestos were blocked by countries with economic interests in restricting awareness of the risks posed by substances that meet all of the criteria for listing in the convention to which they are parties. While many delegates expressed frustration over the inability to list two controversial substances that meet the Convention criteria, others pointed to the listing of PFOS, which is widely produced and used, as a sign that the Convention can successfully address economically important substances.

SYNERGIES: THE "GRAND EXPERIMENT"

After three years of work to implement synergies among the three conventions leading to this two-week meeting, reviews of the outcomes to date were mixed. The synergies process has led to establishment of a Joint Secretariat, a reorganization that was not welcomed by all, but saved the three conventions a total of nearly US\$1.5 million. Some administrative procedures were harmonized across conventions through separate decisions taken by each COP. A proposal to revamp rules for the admission of observers initially caused mild controversy in the SC as the new rules were perceived as unnecessarily restrictive and burdensome. However, following consultations with observers and parties, each COP adopted the same rules regarding admission, which, to the satisfaction of many observers, were closely aligned with the transparent culture of the Stockholm Convention, considered to be the most open and inclusive of the three conventions. This, for some, demonstrated the promise of synergies to "pull" each convention toward the best parts of the others.

Yet other attempts to harmonize met some resistance from parties. The proposal to reduce the size of the Stockholm Bureau, in line with the Basel and Rotterdam bureaus, triggered careful negotiations between the EU and GRULAC and ultimately led to an expanded membership for the Basel and Rotterdam bureaus. Similarly, a few parties limited proposals to enhance collaboration between the POPRC and CRC in the SC and RC plenaries and in the synergies contact group. In the end, the POPRC and CRC will have a one-day joint meeting for the exchange of "scientific" information only. The omnibus decision includes development of guidance to aid the CRC's consideration of POPs and alignment of the CRC's working practices to the POPRC's, to facilitate information sharing, but these provisions are careful compromises derived from some parties' initial calls to reform the CRC. While cost savings were evident from the Secretariat restructuring and parties seemed willing to support further synergies at the administrative level, harmonization of the governance instruments of the conventions proved too much, too soon for some.

LESSONS LEARNED SO FAR

While delegations appreciated that they only had to travel to one meeting, rather than three, it became surprisingly clear in the budget discussions that this format did not significantly save costs. The cost projections, averaged to a daily rate, were similar between a "synergized" meeting and three separate week-long

meetings. Without being able to point to substantial savings, some who were dubious of this format, and many who were tired after two long weeks, used the closing plenary to call for an end to the experiment of simultaneous ordinary meetings and ExCOPs. Others, however, welcomed the simultaneous meetings and contact groups on shared issues, such as technical assistance and financial resources and compliance, because they worked through difficult, principled issues only once, and then were able to draft multiple decisions from that one compromise.

Yet, the differences between the conventions at times bred complexity, particularly since the SC is the only one with a financial mechanism, the BC the lone convention with a compliance mechanism, and the RC with neither. This left some delegates unconvinced of the benefits of simultaneous meetings of the COPs. Discussions on format of the next meetings prompted last minute huddles in the plenary yielding agreement to hold “joint sessions, where appropriate, on joint issues” in 2015, rather than a another meeting with ExCOPs and a high-level segment.

Ultimately, a vision of synergies is to address the lifecycle of chemicals and wastes holistically, facilitating capacity-challenged countries’ ability to address these issues. In the nearer-term, several hypotheses about the synergies process were bandied about: synergies, in the form of joint meetings, were lauded as saving time, energy and money. As an ongoing process, it could harmonize administrative services and governance arrangements, clarifying expectations for parties. Yet, as implemented at this meeting, and as seen by some in the Basel Convention in particular, synergies could steal time from the substantive work of the conventions and mask the unique identity of each. At this stage, proponents of each of these hypotheses can—and do—find evidence to back up their claims.

UPCOMING MEETINGS

GEF 44th Council Meeting: The GEF Council meets twice per year to approve new projects with global environmental benefits in the GEF’s focal areas, and provide guidance to the GEF Secretariat and agencies. **dates:** 18-20 June 2013 **location:** Washington, DC, USA **contact:** GEF Secretariat **phone:** +1- 202-473-0508 **fax:** +1-202-522-3240 **email:** secretariat@thegef.org **www:** <http://www.thegef.org/gef/content/gef-44th-council-meeting>

33rd Meeting of the Open-Ended Working Group of the Parties to the Montreal Protocol: This meeting will consider issues related to the implementation of the Montreal Protocol in preparation for the 25th Meeting of the Parties (MOP25). **dates:** 24-28 June 2013 **location:** Bangkok, Thailand **contact:** Ozone Secretariat **phone:** +254-20-762-3851 **fax:** +254-20-762-0335 **email:** ozoneinfo@unep.org **www:** <http://conf.montreal-protocol.org/meeting/oewg/oewg-33/presession/default.aspx>

25th Session of the ECOSOC Sub-Committee of Experts on the Globally Harmonized System of Classification and Labeling of Chemicals: The UN Economic and Social Council’s (ECOSOC) Sub-Committee of Experts on the Globally Harmonized System of Classification and Labeling of Chemicals (GHS) will discuss draft amendments to the GHS, GHS implementation, guidance on the application of GHS criteria and

the issuance of the 5th revised edition of the GHS. **dates:** 1-3 July 2013 **location:** Geneva, Switzerland **contact:** Rosa Garcia Couto **phone:** +41-22-917-2435 **fax:** +41-22-917-0039 **www:** <http://www.unece.org/trans/main/dgdb/dgsubc4/activities.html>

Eleventh International Conference on Mercury as a Global Pollutant: The theme of ICMGP 2013 is “Science informing global policy.” The conference will celebrate the agreement on the Minamata Convention on Mercury, and consider how to put the treaty into practice. The meeting aims to exchange information on the science of mercury behavior and release, and its effect on ecosystems. **dates:** 28 July - 2 August 2013 **location:** Edinburgh, United Kingdom **contact:** Marcus Pattison **phone:** +44-1727-858840 **fax:** +44-1727-840310 **email:** info@mercury2013.com **www:** <http://www.mercury2013.com/>

Diplomatic Plenipotentiary Conference on the Global Legally Binding Instrument on Mercury: The Conference will adopt the Minamata Convention on Mercury and a final act that addresses: how to promote and prepare for the early implementation of the convention; arrangements for the interim period between the signing of the instrument and its entry into force, including arrangements for financial and technical assistance during that period; and secretariat arrangements. A preparatory session will be held on 7-8 October, opening ceremonies on 9 October, and the full Conference on 10-11 October 2013. **dates:** 7-11 October 2013 **location:** Kumamoto, Japan **contact:** UNEP Mercury Programme **phone:** +41-22-917- 8192/8232 **fax:** +41-22-797-3460 **email:** mercury.chemicals@unep.org **www:** <http://www.unep.org/hazardoussubstances/MinamataConvention/DipCon/tabid/106193/Default.aspx>

POPRC 9: The ninth meeting of the Persistent Organic Pollutants Review Committee (POPRC9) will review chlorinated naphthalenes, hexachlorobutadiene, and pentachlorophenol and its salts and esters, as well as discuss other technical work such as the impact of climate change on the POPRC’s work and common issues in applying Annex E criteria. A joint meeting with the Rotterdam Convention’s CRC will be held on 19 October 2013. **dates:** 14-18 October 2013 **location:** Rome, Italy **contact:** Stockholm Convention Secretariat **phone:** +41-22-917-8729 **fax:** +41-22-917-8098 **email:** ssc@pops.int **www:** <http://www.pops.int>

Ninth Meeting of the Rotterdam Convention Chemical Review Committee: The Chemical Review Committee (CRC) is a subsidiary body of the Rotterdam Convention that reviews chemicals and pesticide formulations according to the criteria set out by the Convention in Annexes II and IV, respectively, and makes recommendations to the COP for listing these chemicals in Annex III. A joint meeting with the POPRC will be held on 19 October 2013. **dates:** 21-25 October 2013 **location:** Rome, Italy **contact:** Rotterdam Convention Secretariat **phone:** +41-22-917-8296 **fax:** +41-22-917-8082 **email:** pic@pic.int **www:** <http://www.pic.int/>

25th Meeting of the Parties to the Montreal Protocol: MOP 25 is scheduled to consider a number of issues, including nominations for critical- and essential-use exemptions. **dates:** 21-25 October 2013 **location:** Bangkok, Thailand **contact:**

Ozone Secretariat **phone:** +254-20-762-3851 **fax:** +254-20-762-4691 **email:** ozoneinfo@unep.org **www:** http://ozone.unep.org

Eighth International Conference on Waste Management and Technology (ICWMT8): Organized by the Basel Convention Coordinating Centre for Asia and the Pacific, and sponsored by the UN Environment Programme (UNEP), the Stockholm Convention Regional Centre for Capacity-Building and the Transfer of Technology in Asia and the Pacific, China's Ministry of Environmental Protection and others, ICWMT8 aims to promote exchange and cooperation on management policy, technology and experiences on solid and hazardous waste. Under the theme of "Towards Ecological Civilization," ICWMT8 will discuss: waste electrical and electronic equipment management policy and technology; hazardous waste management and safe disposal; industrial solid waste utilization and disposal; contaminated sites regulation and governance; circular economy and urban mining exploitation and utilization; POPs waste management and disposal; scrapped vehicle recycling management and processing; biomass comprehensive utilization; and waste plastic utilization. **dates:** 23-25 October 2013 **location:** Beijing, China **contact:** BCRC Beijing **phone:** +86-10-62794351 **fax:** +86-10-62772048 **email:** icwmt@tsinghua.edu.cn **www:** http://conf.bcrc.cn/english/

Twelfth meeting of the COP to the Basel Convention, the seventh meeting of the COP to the Rotterdam Convention and the seventh meeting of the COP to the Stockholm Convention: These meetings are tentatively scheduled to convene back-to-back in 2015. **dates:** TBD, 2015 **location:** Geneva, Switzerland **contact:** Secretariat of the Basel, Rotterdam and Stockholm Conventions **phone:** +41-22-917-8729 **fax:** +41-22-917-8098 **email:** brs@unep.org **www:** www.basel.int, www.pic.int, www.pops.int; Secretariat of the Rotterdam Convention, FAO **phone:** +39-06-5705-5586, **fax:** +39-06-5705-3057 **email:** pic@fao.org **www:** www.pic.int

GLOSSARY

BAT/BEP	Best Available Techniques/Best Environmental Practices
BC	Basel Convention
BDE	Brominated diphenyl ether
CIEL	Center for International Environmental Law
CLI	Country-led initiative
COP	Conference of the Parties
CRC	Chemical Review Committee
DGD	Decision Guidance Document
ESM	Environmentally-sound management
ExCOP	Extraordinary Meeting of the Conference of the Parties
FAO	Food and Agriculture Organization of the United Nations
GEF	Global Environment Facility
GRULAC	Latin American and Caribbean Group
HBCD	Hexabromocyclododecane
ICC	Committee for Administering the Mechanism for Promoting Implementation and Compliance
IPEN	International POPs Elimination Network
LDCs	Least developed countries
MoU	Memorandum of Understanding
NIP	National Implementation Plan
OEWG	Open-ended Working Group
PACE	Partnership for Action on Computing Equipment
PCBs	Polychlorinated biphenyls
PBDE	Pentabromodiphenyl ether
PFOS	Perfluorooctane sulfonic acid
PFOSF	Perfluorooctane sulfonyl fluoride
POPRC	Persistent Organic Pollutants Review Committee
POPs	Persistent Organic Pollutants
PIC	Prior Informed Consent
RoP	Rules of Procedure
RC	Rotterdam Convention
SAICM	Strategic Approach to International Chemicals Management
SC	Stockholm Convention
SIDS	Small island developing states
ToRs	Terms of reference
UNEP	United Nations Environment Programme
WHO	World Health Organization

Latest News - 30 April 2013

Three Chemicals Conventions Open Joint COPs



29 April 2013: The 11th meeting of the Conference of the Parties to the Basel Convention (BC COP 11), the sixth meeting of the Rotterdam Convention COP (RC COP 6), the sixth meeting of the Stockholm Convention COP (SC COP 6) and the second simultaneous extraordinary meetings of the COPs to the three conventions (ExCOPs 2) are convening back-to-back in Geneva, Switzerland. [continued...](#)

CACENA, SDC Workshop Addresses IWRM as an Approach to Climate Change Adaptation in Central Asia



23 April 2013: The Global Water Partnership (GWP) Central Asia and Caucasus (CACENA) and the Swiss Agency for Development and Cooperation (SDC) held a regional workshop on "Integrated Water Resources Management (IWRM) as a Practical Approach to Climate Change Adaptation in Caucasus and Central Asia," which addressed: how to adapt; ways to implement; and means of partnership and cooperation. [continued...](#)

UNEP Releases Reports on Metal Flows and Recycling



24 April 2013: The UN Environment Programme (UNEP) has released two reports on potential environmental impacts of metals flows and cycles. The reports were launched during the 12th International Resource Panel (IRP) Meeting: High Level Dialogue on Resource Efficiency and Sustainable Management of Metal Resources, held on 24 April 2013, in Berlin, Germany. [continued...](#)

UNU and StEP Release Report on E-Waste in China



UNITED NATIONS
UNIVERSITY

22 April 2013: The UN University's Institute for Sustainability and Peace (UNU-ISP), Sustainable Cycles operating unit, has released a study on the state of electrical and electronic equipment (EEE) in China. [continued...](#)

Chemicals and Wastes Policy & Practice is a knowledge management project carried out by the International Institute for Sustainable Development Reporting Services (IISD RS) in collaboration with the UN System Chief Executives Board for Coordination (CEB).

Its four interconnected components are:

- A searchable knowledgebase portal with news on chemicals and wastes events, publications and projects;
- Chemicals and Wastes Update (excerpted above), a weekly newsletter with all recent additions to the knowledgebase, delivered to your inbox exclusively through the CHEMICALS-L listserv;
- CHEMICALS-L, a community listserv that offers subscribers an opportunity to post announcements regarding their own organizations' publications and meetings; and
- An iCal of Chemicals and Wastes-related events.

For more information and to subscribe to CHEMICALS-L, visit:

<http://chemicals-l.iisd.org/>

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