



## **BRS CONVENTIONS COPs HIGHLIGHTS: THURSDAY, 14 MAY 2015**

The meetings of the Conferences of Parties (COPs) to the Basel, Rotterdam and Stockholm (BRS) Conventions continued on Thursday, 14 May 2015, with plenary sessions convening in the afternoon and evening. Following reports from the contact groups, delegates addressed issues associated with each of the Conventions, including, *inter alia*, matters related to implementation of the Rotterdam Convention (RC); international coordination and cooperation; programme of work and budget; matters related to implementation of the Basel Convention (BC); and matters related to implementation of the Stockholm Convention (SC). SC COP7 agreed to list PCNs in Annexes A and C of the Convention.

Contact groups on budget and technical assistance and financial resources met in the morning and afternoon, and contact groups on budget and SC compliance convened in the evening.

### **ROTTERDAM CONVENTION COP7**

**MATTERS RELATED TO THE IMPLEMENTATION OF THE CONVENTION: Consideration of chemicals for inclusion in Annex III to the Convention:** President Khashashneh introduced the draft decision on intersessional work on the process of listing chemicals in Annex III to the RC (UNEP/FAO/RC/CRP.13).

UKRAINE suggested establishing two intersessional groups, one with expertise on pesticides and another with expertise on chrysotile asbestos. The RUSSIAN FEDERATION supported this suggestion, calling this a technical exercise. President Khashashneh responded that parties can nominate individuals with various areas of expertise to discuss the chemicals that have been recommended by the CRC but not listed in the RC.

SUDAN suggested deleting references to observers, saying that the small intersessional group should only be composed of parties and that observers should be consulted but not part of the decision-making process. President Khashashneh emphasized that the intersessional group will report to COP8 and will not take decisions.

GUATEMALA suggested removing the qualifier “small” from the description of the intersessional group to leave open the option for all interested parties to participate. The EU noted that increasing the size of the group will have budgetary implications that may impede the likelihood of a face-to-face meeting.

UKRAINE, supported by the RUSSIAN FEDERATION, GABON and COSTA RICA suggested removing a reference to Articles 5, 6, and 7 (procedures for listing chemicals), saying that intersessional work should focus on the effectiveness of the convention, which may involve considering other parts of the

convention. ARGENTINA said that the group should look more broadly at difficulties arising from the actual process for listing chemicals.

AUSTRALIA, supported by SWITZERLAND, suggested referring to documents from COP4 to guide intersessional work (UNEP/FAO/RC/COP.4/CRP.12 and 4/CRP.13).

The COP adopted the decision, subject to confirmation from the budget group, taking into account oral amendments regarding deletion of references to specific RC articles and inserting references to COP4 CRPs, as well as deletion of the qualifier “small.”

**Chrysotile asbestos:** In the afternoon, COP7 returned to its consideration of the inclusion of chrysotile asbestos in Annex III of the RC (UNEP/FAO/RC/COP.7/11).

The RUSSIAN FEDERATION, with KYRGYZSTAN, KAZAKHSTAN and ZIMBABWE reiterated their opposition to the listing of chrysotile asbestos.

RC COP7 agreed to defer further consideration of this issue to COP8.

**Status of implementation:** On Thursday afternoon, the COP adopted, without amendment, the draft decision on the proposal for activities to increase notifications of final regulatory action (UNEP/FAO/RC/COP.7/CRP.12).

**OTHER MATTERS: Draft MOU between FAO and UNEP and RC COP:** In the afternoon, the Secretariat introduced the draft decision (UNEP/FAO/RC/COP.7/CRP.4). RC COP7 adopted the decision without amendment.

**ADOPTION OF THE REPORT:** In the afternoon, the Secretariat reviewed the first part of the RC COP7 meeting report (UNEP/POPS/COP.7/L.1/Add.1), which delegates adopted with minor amendments.

### **JOINT SESSION OF THE THREE COPs INTERNATIONAL COOPERATION AND**

**COORDINATION:** In the afternoon, the Secretariat introduced the draft decision on international cooperation and coordination drafted by the joint contact group on cooperation and coordination (UNEP/CHW.12/CRP.28; UNEP/FAO/RC/COP.7/CRP.7; UNEP/POPS/COP.7/CRP.24). Delegates adopted the decision without amendment.

**PROGRAMME OF WORK AND BUDGET: Enhancing cooperation and coordination among the Basel, Rotterdam and Stockholm Conventions:** In the afternoon, the Secretariat introduced the draft decision on enhancing cooperation and coordination among BRS Conventions drafted by the joint contact group on cooperation and coordination (UNEP/CHW.12/CRP.24; UNEP/FAO/RC/COP.6/CRP.7; UNEP/POPS/COP.7/CRP.23), which delegates adopted without amendment.

**From science to action:** The Secretariat introduced the draft decision (UNEP/CHW.12/CRP.29; UNEP/FAO/RC/COP.7/CRP.8; UNEP/POPS/COP.7/CRP.25), which delegates adopted without amendment.

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**VENUE AND DATE OF THE NEXT COPS:** The Secretariat reported that the venue in Geneva has been tentatively reserved for 22 April - 5 May 2017, and reported on the estimated costs for holding a high-level segment. The EU said a high-level segment was not necessary, but could agree if it had a clear format and theme. CHINA suggested limiting the segment to 1.5 days and the theme to BRS Conventions' mandates and, supported by VENEZUELA, not seeking to issue a ministerial declaration. MAURITANIA, GABON and GHANA for the AFRICAN GROUP underscored the importance of having a high-level segment. CANADA urged holding the segment at the beginning of the meeting. The Secretariat was asked to draft a CRP on the next COPS and possible arrangements for a high-level segment.

### BASEL CONVENTION COP12

**MATTERS RELATED TO THE IMPLEMENTATION OF THE CONVENTION: Scientific and technical matters: Technical guidelines:** Magda Gosk (Poland), Co-Chair of the technical matters contact group, introduced the draft decision and TGs on e-waste (UNEP/CHW.12/CRP.33 and Add.1). She highlighted that the decision, *inter alia*, adopts the TGs with a process to prepare draft revised guidelines during the intersessional period to be considered by COP13. On the draft TGs, she drew attention to Annex V, which outlines the outstanding issues to be considered intersessionally.

Saying that the guidelines are not complete without resolving the issues in Annex V and cannot protect human health and the environment in their current form, EGYPT, supported by PALESTINE, opposed adoption of the TGs at this COP.

Kenya, for the AFRICAN GROUP, supported by CHINA, JAPAN, NORWAY and others, called the TGs a compromise and not perfect, but said they should be adopted and subject to further development. LIBERIA encouraged supporting the TGs as they stand, because "e-waste is a killer and needs to be killed."

INDIA opposed adoption of the TGs, stressing that they "over reach" on trade-related matters.

PAKISTAN, with BRAZIL, suggested "provisionally adopting" the TGs, with PAKISTAN, saying unresolved issues leave "holes" in the TGs. MEXICO, supported by VENEZUELA, supported provisional adoption, proposing to keep the "provisions on exemptions" in square brackets to be discussed by the OEWG and revised for COP13. Suggesting that provisional adoption could be a compromise, the EU acknowledged that there is work to be done, but called it "paramount" to learn from experience in using the TGs.

COLOMBIA cautioned that parties have not had sufficient time to discuss the annexes of the TGs.

Highlighting a UNEP report stating that up to 90% of e-waste is trafficked illegally, BAN opposed the adoption of the TGs as they stand, calling them "irresponsible" because three pages of bracketed text remain, and urged parties not to adopt weak guidelines.

Underscoring that work remains, President Jagusiewicz suggested the guidelines be adopted provisionally, with future work to improve the guidelines. INDIA reiterated its opposition to adoption. President Jagusiewicz proposed returning to the issue on Friday and asked the EU and contact group Co-Chairs to confer with India beforehand.

**Operations and work programme of the OEWG for 2016-2017:** The Secretariat reported on discussions regarding the duration and days of official translation for the OEWG, noting a consultation with the budget group, which recommended a four-day duration for the OEWG and 1.5-2.5 days of interpretation, to be applied flexibly. The COP tasked the Secretariat with drafting a decision for consideration on Friday. The Secretariat also presented the original proposed work programme and the EU's proposed changes (UNEP/CHW.12/CRP.26 and CRP.35), which will be discussed on Friday.

**OTHER MATTERS:** The Secretariat introduced the MOU between UNEP and the BC COP (UNEP/CHW.12/CRP.6), which was adopted without amendment.

### STOCKHOLM CONVENTION COP7

**MATTERS RELATING TO THE IMPLEMENTATION OF THE CONVENTION: Listing of chemicals in Annex A, B or C to the Convention:** Delegates adopted a revised draft decision on listing PCNs (UNEP/POPS/COP.7/CRP.29) proposed by the Russian Federation.

**Measures to reduce or eliminate releases from intentional production and use: BDEs and PFOS, its salts and PFOSF:**

Delegates considered a draft decision on the evaluation of PFOS, its salts and PFOSF pursuant to paragraphs 5 and 6 of part III of Annex B to the Convention (UNEP/POPS/COP.7/CRP.19). Noting PFOS is used in fire-fighting and defense, INDIA proposed including "other than for fire-fighting purposes" in text encouraging parties to consider withdrawing their names from the register of acceptable purposes for production and use of PFOS, its salts and PFOSF. This was opposed by the EU. The EU and India were requested to develop compromise text for consideration on Friday.

**OTHER MATTERS:** The Secretariat reported on an analysis of possible synergies on preventing and combatting illegal traffic and trade in hazardous chemicals and wastes (UNEP/CHW.12/INF/51). SC COP7 took note of the information.

The Secretariat then introduced the MOU between UNEP and the SC COP (UNEP/POPS/COP.7/CRP.12), which was adopted without amendment.

### CONTACT GROUPS

**BUDGET:** The group met all day and discussed the BC draft financing and budget decision for 2016-2017. Participants agreed on text setting out punitive measures for countries in arrears for four or more years and specifying that these countries would be ineligible for financial assistance to participate in informal intersessional work. Referring to work in the technical assistance and financial resources contact group, one negotiating group called for figures for the "networking" of the BC and SC regional centres.

**TECHNICAL ASSISTANCE AND FINANCIAL RESOURCES:** The group met throughout Thursday, and agreed to text on promoting synergies between BC and SC regional centres and UNEP and FAO regional offices. In the afternoon, the group finalized consideration of the decisions on regional centers under the Basel and Stockholm Conventions, and discussed a draft decision on the report on the effectiveness of the implementation of the MOU between the COP and the GEF Council.

### IN THE CORRIDORS

Tired, bleary-eyed delegates, some of whom had worked at the CIG until 3:30am the night before, met in contact groups on Thursday morning to tackle outstanding issues. One delegate described frustration in the budget group, lamenting that late-arriving participants to the group slowed progress. Delegates were seen in huddles throughout the day, with many hoping that informal conversations would revive the spirit of compromise, which, according to one, "seemed to be flagging" as much as delegates' energy.

In a late plenary, many supported the provisional adoption of the technical guidelines on e-waste, but a few opposed, likening the incomplete guidelines to Swiss cheese: full of holes. As disappointed delegates adjourned for further informal meetings, one noted that "Swiss cheese is still edible, whether you like the holes or not."

**ENB SUMMARY AND ANALYSIS:** The *Earth Negotiations Bulletin* summary and analysis of the BRS Conventions COPS will be available on Tuesday, 19 May 2015 online at: <http://www.iisd.ca/chemical/cops/2015/>