

## BRS Conventions COPs Highlights: Thursday, 16 June 2022

The Basel, Rotterdam, and Stockholm (BRS) Conventions adopted as many decisions as possible, with just those on the budget, Rotterdam Convention (RC) compliance, the financial mechanism, and legal clarity (on Annex IV) remaining. The budget group continued its work throughout the day.

### Joint Sessions of the COPs

#### Organizational Matters

**Credentials:** Stockholm Convention (SC) COP President Kalnins reported to the plenary that Bhutan, Qatar, Saudi Arabia, and Uzbekistan had submitted credentials. The COPs agreed to update the report on this issue.

#### International Cooperation and Coordination

**International Cooperation and Coordination with Other Organizations:** SC COP President Kalnins invited the COPs to adopt a joint decision on international cooperation and coordination with other organizations (CHW.15/CRP.35; RC/COP.10/CRP.17; POPS/COP.10/CRP.23).

CHINA supported enhanced collaboration with the World Health Organization (WHO) and other bodies, but said that if the Chinese delegation to the World Health Assembly takes a different position on the WHO's work, that delegation's position would prevail.

The COPs adopted the decision, taking note of China's intervention in the meeting report.

#### Enhancing Cooperation and Coordination among the BRS Conventions

**Illegal Traffic and Trade:** Noting that the text (CHW.15/14; RC/COP.10/CRP.16; POPS/COP.10/CRP.22) had been provisionally agreed on Friday, 10 June on the understanding that it could be adjusted on the basis of outcomes of a decision on the Implementation and Compliance Committee, Basel Convention (BC) COP President Álvarez-Pérez reported that no adjustments were needed. Parties adopted the decision.

#### Date and Venue of the Next COPs

The Secretariat introduced a joint draft decision (CHW.15/CRP.19; RC/COP.10/CRP.9; POPS/COP.10/CRP.20) on the venue and date of the next BRS COPs, noting the offer of the Bahamas to host the meeting from 8-19 May 2023. The Secretariat noted this set of meetings would not include a high-level segment. The COPs adopted the decision without amendment. The BAHAMAS noted this is the first time that a Caribbean state would host the COPs.

The Secretariat also noted that the offers to host the 2025 meetings of the COPs should be submitted by 1 March 2023.

## Basel Convention

### Matters Related to the Implementation of the Convention

**Scientific and technical matters: Technical guidelines:** BC COP President Álvarez-Pérez invited delegates to comment on the revised draft decision on technical guidelines on transboundary movements of e-waste, with the amendments proposed by the EU (CRP.32).

IRAN, supported by PAKISTAN, proposed changing the date for nominations to the expert working group from 31 July to 15 August 2022 and called to retain text requiring that this issue be discussed by the OEWG before it is addressed by the COP.

INDIA supported the draft decision, stressing that the distinction between e-waste and used electronic equipment needs to be clearly specified in the guidelines.

South Africa, on behalf of the AFRICAN GROUP, said it had no objection to the decision.

Parties adopted the decision as orally amended.

**Strategic Matters: Strategic framework:** BC COP President Álvarez-Pérez confirmed that the budgetary implications of this decision (CHW.15/CRP.31) had been reflected in the programme of work and budget. Parties adopted the decision without amendment.

**Legal, Compliance, and Governance Matters: Committee for Administering the Mechanism for Promoting Implementation and Compliance:** BC COP President Álvarez-Pérez confirmed the budgetary implications of this decision (CHW.15/CRP.30) had been reflected in the programme of work and budget. Parties adopted the decision without amendment.

## Rotterdam Convention

### Matters Related to the Implementation of the Convention

**Listing of Chemicals: Chemical Review Committee (CRC):** The Secretariat introduced the decision on the operations of the CRC (CRP.13), noting the decision requests the CRC to elect a new chair.

Algeria, for the AFRICAN GROUP, supported by Chile, for GRULAC, PAKISTAN, SAUDI ARABIA, and PALESTINE requested that the current CRC Chair, Noluzuko Gwayi (South Africa) be elected for a second term, and asked that the draft decision be changed to note her election. Several lauded her outreach to developing countries regarding the Convention and efforts to improve the effectiveness of the Committee.

NORWAY, with NEW ZEALAND, the EU, and SWITZERLAND supported the current Chair, but preferred to follow the usual practice to ask the CRC to elect its Chair.

The Secretariat clarified that Rule 30 of the rules of procedure states that the COP elects the Chair, but the practice has been for the Persistent Organic Pollutants Review Committee (POPRC)

and CRC to identify an interim Chair, which is then confirmed by the COP.

The RC COP adopted the decision, with the removal of paragraph 4 that requests the CRC to elect an interim chair, with the understanding that the current Chair will continue.

**Acetochlor:** RC COP Vice-President Khashashneh said that the meeting report would reflect that parties were unable to reach consensus and that the item will be included on the COP11 agenda.

The Secretariat introduced the draft decision (CRP.15), which states that the COP recalls the objective of the Convention and takes note of the discussion on the challenges, concerns, views, and possible ways forward.

INDIA suggested that the COP “takes note of the challenges, concerns, views, and possible ways forward, as emerged in the discussions.” The EU opposed, preferring to distinguish that the COP is taking note of the discussions, not the challenges and concerns presented, and asked why this was re-opened in plenary after the contact group had agreed. INDIA suggested that this text was not agreed upon in the contact group.

KENYA, ZIMBABWE, CANADA, NORWAY, ECUADOR, and NIGERIA agreed with the text as presented, saying that it was agreed in the contact group. INDIA agreed to the text.

The RC COP adopted the decision.

**Carbosulfan:** RC COP Vice-President Khashashneh said that the meeting report would reflect that parties were unable to reach consensus and that the item will be included on the COP11 agenda.

The RC COP adopted the decision in CRP.15.

**Paraquat dichloride formulation:** RC COP Vice-President Khashashneh said that the meeting report would reflect that parties were unable to reach consensus and that the item will be included on the COP11 agenda.

The RC COP adopted the decision in CRP.15.

**Fenthion ultra-low volume formulation:** RC COP Vice-President Khashashneh said that the meeting report would reflect that parties were unable to reach consensus and that the item will be included on the COP11 agenda.

The RC COP adopted the decision in CRP.15.

**Chrysotile asbestos:** RC COP Vice-President Khashashneh said that the meeting report would reflect that parties were unable to reach consensus and that the item will be included on the COP11 agenda.

KAZAKHSTAN, supported by SYRIA, the RUSSIAN FEDERATION, and ZIMBABWE introduced a draft decision indicating that the COP has completed the procedure for reviewing the listing of chrysotile asbestos in Annex III and removing the chemical from the list of candidates for Annex III (CRP.14).

SOUTH AFRICA said it is not possible to remove chrysotile asbestos from the agenda because it underwent review by the CRC, which recommended its inclusion in Annex III.

EL SALVADOR, SWITZERLAND, SENEGAL, the EU, CANADA, NORWAY, URUGUAY, AUSTRALIA, NIGERIA, and NEW ZEALAND stressed that the chemical poses risks, that the COP previously agreed that the criteria for listing were met, and that they did not support the CRP.

The RC COP adopted the decision in CRP.15.

**Enhancing the Effectiveness of the Convention:** RC COP Vice-President Khashashneh said consultations on the proposal to amend Article 16 of the Convention were ongoing and he would report back later during the COP.

## Stockholm Convention

### *Matters Related to the Implementation of the Convention*

**Compliance:** SC COP President Kalnins reported that consensus could not be reached on this item and it would be taken up at the next COP.

### Contact Groups

**BC Legal Matters:** In the contact group, co-chaired by Mari-Liis Ummik (Estonia) and Florisvindo Furtado (Cabo Verde), participants quickly agreed to the draft decision setting out a way forward for the discussions on amendments to Annex IV to be taken forward by the expert group and the OEWG. The decision requests the OEWG, not the expert group, to further discuss the proposals by the EU, and the expert group’s recommendations and findings. The decision also sets out a list of issues as examples for the OEWG to consider.

**Technical Assistance and Financial Resources:** The contact group, co-chaired by Premysl Stepanek (Czech Republic) and David Kapindula (Zambia), met for the last time in the morning to try to clear two outstanding issues: the strength of the language regarding the reaction to GEF replenishment by welcoming, taking note, or acknowledging it, and the preparation of the report on accessibility and availability of GEF funding for certain developing country parties.

The room agreed on the importance of accessibility concerns. It could not reach consensus on the form of the document, whether it be a report, compilation of views, or survey, as well as other elements of the provision, for example, whether or not to include the availability of resources in the scope, set up a deadline, and keep the word “certain” before countries. Both outstanding provisions were proposed for addition during the first reading in the contact group by separate parties, and despite multiple rounds of discussions and brainstorming on alternative phrasings, parties could not agree on the exact language. According to the procedural rules, both provisions were deleted and cleared document will go through the CRP process and then will be presented to the plenary for final discussions on Friday.

### *In the Corridors*

With only one day left, it is clear which agenda items were the most challenging for parties to agree upon – finance and compliance. As decisions on technical matters were swiftly gavelled in a short and efficient afternoon plenary, informal consultations on reflecting RC compliance decision in the budget, as well as on the SC financial mechanism decision, were ongoing in different parts of the venue.

While there is still hope for these decisions to come through, the SC compliance mechanism has again proved too difficult – as one delegate had put it, “I don’t even know why we had a contact group since there is nothing to discuss.” While just two TripleCOPs ago, an agreement seemed close, parties now seem further apart than ever. Given the reluctance of parties to embrace any of the changes to the BC Implementation and Compliance Committee (ICC) mandate, which the ICC proposed upon the request from the COP, it is clear that many parties are cautious about allowing anyone but the individual parties themselves to trigger the non-compliance procedure.

As delegates walked between second-floor offices, where the Presidencies reside, some hoped that a package was in the making. Others hoped that they wouldn’t have to wait for the warm weather and sounds of the ocean waves in the Bahamas next year to help the delegates to find common ground on issues crucial for the implementation of these Conventions.