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INFORMATION NOTE

From: General Secretariat of the Council

To: Delegations

Subject: Sixteenth meeting of the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal (Geneva, 1 - 12 May 2023)

Eleventh meeting of the Conference of the Parties to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (Geneva, 1 - 12 May 2023)

Eleventh meeting of the Conference of the Parties to the Stockholm Convention on Persistent Organic Pollutants (Geneva, 1 - 12 May 2023)

- Compilation of statements

Delegations will find in the [Annex](#), for information purposes, a compilation of statements as delivered at the abovementioned meetings (including at the joint session). Unless indicated otherwise, statements were delivered on behalf of the European Union and its Member States.

STATEMENTS DELIVERED AT THE JOINT SESSION

OPENING STATEMENT

Excellences, Distinguished Presidents, Delegates, Ladies and Gentlemen,

The European Union and its Member States thank the Presidents of the Conferences of the Parties, the Bureaus and the Secretariat for their work to organize this meeting. We are delighted to meet with all colleagues here in Geneva and we would like to thank Switzerland for their warm welcome.

Today, the world is facing three major, threatening and interconnected environmental crises. The sound management of chemicals and waste are key to addressing these crises and provides an important contribution to attaining the 2030 Agenda. We need to raise awareness on the work carried out by the conventions and further enhance the work that particularly addresses the planetary crises.

Regarding the Basel Convention, we believe it is time to update the 20 years old technical guidelines on plastic waste and adopt them at this meeting, and thereby establish a state-of-the-art guidance on the environmentally sound management of plastic wastes.

We would also like to make progress on revising Annex IV. We acknowledge that work is still needed to clarify many aspects. We hope however to make progress this week.

We also look forward to fruitful discussions on the technical guidelines on improvement of the functioning of the PIC procedure and on the Strategic Framework. We think that this work contributes to improving the effectiveness of the Basel Convention.

We welcome and support the proposals to strengthen the Stockholm Convention by listing three additional substances for global phase-out. We are pleased that the second evaluation of the effectiveness confirms that the Convention provides an effective and dynamic framework. Our global monitoring programme demonstrates that progress has been achieved since the first evaluation, as concentrations of POP's in the environment have declined.

Eliminating the use of DDT still remains a challenge, the EU and its Member States note the positive developments and welcome the recommendations towards supporting a focused phasing out of DDT.

On PCB, we note the urgency and the need for enhanced collaboration to achieve the goals set up, when the Stockholm Convention was adopted more than twenty years ago.

Regarding the Rotterdam Convention, we hope to agree at this COP on the listing of all seven substances that have been recommended by the Chemical Review Committee since they meet the criteria. We are however concerned about the difficulties in the past to reach consensus and thus undermining the aim of the Convention. We therefore support the proposal submitted by several Parties to amend the Convention and look forward to discussing the proposal at this meeting, with the aim to agree on it.

We look forward to the reports of the Basel and Rotterdam compliance committees, and we hope to establish a compliance mechanism for the Stockholm convention without further delay.

Further...

The three conventions contribute to fighting the triple planetary crisis.

Also, we are witnessing the humanitarian and ecological crisis, which flared up one year ago when the Russian Federation launched its unprovoked and unjustified military aggression against Ukraine, spreading death and devastation throughout the country and affecting the world.

The EU and its Member States recall the UN General Assembly resolution on the Principles of the charter of the United Nations, underlying a comprehensive, just and lasting peace in Ukraine, and reaffirm our strong commitment to the resolution. We would like to express full solidarity with Ukraine and pay tribute to the courage of the Ukrainian people.

The consequences of the war are already tremendous, for both health and environment. But Ukraine and generations of Ukrainians will be affected by ecosystem degradation, air and water pollution and contamination of fields, the magnitude of which cannot be fully assessed yet, for many decades, facing significant impacts from the Russian military aggression on health and the environment.

To conclude, we look forward to making progress during these two weeks and achieve an ambitious outcome.

Thank you

TECHNICAL ASSISTANCE

BC Item 4(d), RC Item 5(e), SC Item 5(f)

The European Union and its Member States would like to thank the Secretariat for the work undertaken and the related documents. We recognise the importance of providing technical assistance and capacity building in support of the actions by Parties to implement the conventions. We have a long-standing tradition offering such support and remain committed to assisting Parties in the need of such assistance.

As for previous years, the EU and its Member States believe that all relevant points on technical assistance should be consolidated in a single (omnibus) decision that should be adopted by each COP in order to have a proper overview of the various interrelated matters and be able to focus at each COP on relevant priorities.

The EU and its Member States note the report on the implementation of the technical assistance plan and would like to compliment the Secretariat on its work. The continued monitoring and evaluation of projects undertaken will continue to be important, to further assess the impact of the implementation of the plan. The draft decisions are generally acceptable, subject to certain adjustments and clarifications.

The Basel and Stockholm regional centres continue to play an important role supporting Parties in their efforts to meet their obligations under the Conventions. We have noted the evaluation reports prepared by the Secretariat and welcome the good work carried out by many of these centres.

The EU and its Member States support a decision on regional centres that is simple, streamlined and operational. The EU and its Member States would like to endorse the proposal to invite the Basel regional centre in Trinidad-Tobago to also function as a regional centre for the Stockholm convention, provided that the nomination meets the established criteria.

We look forward to further discussions in a contact group, in order to address all these matters in an omnibus decision on technical assistance under each convention.

FINANCIAL RESOURCES AND MECHANISMS

BC Item 4(f); RC Item 5(f); SC Item 5(g)

The European Union and its Member States thank the Secretariat for the documents and the work undertaken. We would also like to thank the GEF Secretariat and the Secretariat of the Special Programme for their reports and their work in support of the implementation of the Conventions.

The implementation of the integrated approach to financing of the sound management of chemicals and waste remains essential. In this regard, the EU and its Member States recall the importance of all three mutually supportive elements in meeting funding needs of all Parties.

The support offered by the GEF, as the financial mechanism of the Stockholm Convention, also needs to be emphasised. We are particularly happy to conclude that both the share and the volume of the chemicals and waste focal area in GEF-8 was increased.

We welcome the draft terms of reference for the sixth review of the financial mechanism and also for the assessment of funding needs prepared by the secretariat, both of which we can support. We note the significant funding needs identified to assist developing countries in fulfilling their commitments related to the elimination of PCBs and reaching the 2025 and 2028 targets. The EU and its Member States acknowledge the results from GEF-7 regarding the reduction of PCB, which exceeded the targets set for GEF-7.

The EU and its Member States also note the report on further options for addressing the needs, including funding needs, and the challenges met to reach the targets related to the elimination of PCBs. The EU and its Member States especially welcome that the report acknowledges the integrated approach to financing particularly applied to the specific case of PCB management and disposal

We will be happy to constructively engage with all Parties in a contact group on the financial mechanism.

COOPERATION AND COORDINATION WITH THE MINAMATA CONVENTION ON MERCURY

BC Item 5(a); RC Item 6(a); SC Item 6(a)

Thank you, Madam / Mister President,

The EU and its Member States place high importance to the coordination and cooperation with other organisations, and in particular between the BRS and the Minamata secretariats. We welcome the report by the Secretariat relating to the implementation of the decisions on enhanced cooperation between the Secretariats.

We welcome the summary of cooperation and coordination activities with the Minamata Secretariat. Regarding administrative matters, we welcome continued implementation of shared services and their purchase on a cost recovery basis in accordance with the program of work and budget for each biennium. We thank the Secretariat for the presented Outline of future activities. The EU and its Member States believe that the planned activities provide for efficient implementation of the Programme of Work. The EU and its Member States would like to further encourage the activities in the area of outreach and communication as well as on knowledge management and trade control.]

The EU and its Member States support the adoption of this decision, which will help to ensure and further develop the cooperation between the Minamata and BRS Secretariats to enhance an efficient work on the four Conventions.

COOPERATION AND COORDINATION WITH OTHER ORGANIZATIONS

BC Item 5(b); RC Item 6(b); SC Item 6(b)

Thank you, Madam/ Mister President,

The EU and its Member States would like to thank the Secretariat for the report on cooperation and coordination with other international organizations. We appreciate the comprehensive efforts carried out.

It will be especially important that the BRS Secretariat continue to participate in and support the work of the INC on plastics as well as the Open-Ended Working Group on the science-policy panel on chemicals, waste and pollution to provide its expertise, promote complementarity and avoid duplication of work or governance structures. The coherence and effectiveness of the global environmental governance is a long-standing priority for the EU and its Member States.

We fully support the membership of the BRS Convention to IOMC and we are pleased to hear that the Secretariat received invitation for the BRS conventions to become members of the Inter Organization Programme for the Sound Management of Chemicals.

The sound management of chemicals and waste is key to addressing the three major planetary crises of pollution, biodiversity, and climate change. However, it remains challenging to increase the awareness of the contributions of the BRS conventions on the global political agenda, and thus the need to engage the international community and the general public on those issues is paramount. We believe that the coming years with processes such as the INC on plastics, the Open-Ended Working Group on the Science-Policy Panel and the adoption of SAICM beyond 2020, represent a unique opportunity to take action to raise awareness of the BRS conventions and the three planetary crises at the global stage.

The EU and its Member States have therefore proposed additions to the draft decision in a CRP with suggestions on how to increase the visibility and raise the profile on the BRS conventions. We hope for other Parties support on this matter.

CLEARING HOUSE MECHANISM FOR INFORMATION EXCHANGE

BC Item 6(a); RC Item 7(a); SC Item 7(a)

Thank you, Madam President,

The EU and its Member States thank the Secretariat for all the efforts in progressing the implementation of the joint clearing-house mechanism and we take note of the proposed work plan for the biennium 2024-2025.

We welcome the Secretariat's continued work to enhance cooperation and coordination activities in the area of information exchange and the aim to ensure complementarity and avoid duplication of activities, tools and mechanisms, including with the Secretariat of the Minamata Convention.

The EU and its Member States believe that prioritizing recurring activities with a focus to the maintenance of existing systems is important and we support the approval of the proposed draft decision.

MAINSTREAM GENDER

BC Item 6(b); RC Item 7(b); SC Item 7(b)

Documents: CHW.16/24–RC/COP.11/19–POPS/COP.11/25
UNEP/CHW.16/INF/42–UNEP/FAO/RC/COP.11/INF/25–UNEP/POPS/COP.11/INF/47.

Thank you, Madam President,

The EU and its Member States support the proposed action and express appreciation for the Secretariat's work related to gender mainstreaming, to which EU and its Member States attach importance and we encourage the secretariat to pursue its efforts in this matter.

SYNERGIES IN PREVENTING AND COMBATING ILLEGAL TRAFFIC AND TRADE IN HAZARDOUS CHEMICALS AND WASTES

BC Item 6(c); RC Item 7(c); SC Item 7(c)

Thank you, Mister President,

The EU and its Member States would like to thank the Secretariat for the report and the activities undertaken to assist Parties in their efforts to prevent and combat illegal traffic and trade in hazardous chemicals and wastes.

We would like to inform that the IOMC Toolbox, which is financed by the EU, will shortly include a tool on illegal traffic and trade in hazardous chemicals and waste to assist Parties in their work to establish national legislation and infrastructure to strengthen the fight against these criminal activities.

The EU and its Member States would like to highlight the important work done by the OECD network to fight illegal trade in pesticides.

We would like to encourage all Parties to implement the OECD Council recommendation on “Countering the illegal trade of pesticides” and to use the “Best Practice Guidance to Identify Illegal Trade of Pesticides” developed by the OECD.

The EU and its Member States would like to thank EUROPOL, all participating countries within and beyond the European Union and all other participating partners for their efforts to fight illegal trade in pesticides through so-called Silver Axe actions, through which so far a total of almost 5000 tonnes of illegal pesticides were seized in recent years.

We support the decision suggested in the meeting document BC25, RC20, SC26, allowing for continuous work on this important matter, bearing in mind the budgetary impact of this activity in the voluntary trust fund. We had however been unable to identify the optionality in the decision that the Secretariat was mentioning in its presentation. We understand now that these options are in an information document and not proposed in the decision itself, which rather refers to the options as an action.

We have seen the CRP submitted by Chile and will analyse it.

We are ready to discuss all these matters in a contact group.

Thank you

FROM SCIENCE TO ACTION

BC Item 6(d); RC Item 7(d); SC Item 7(d)

Thank you, Madam/ Mister President,

The EU and its Member States would like to thank the Secretariat for the report and the activities undertaken and we support the proposed decision.

PROGRAMME OF WORK AND BUDGET

BC Item 7; RC Item 8; SC Item 8

The European Union and its Member States would like to thank the Secretariat for preparing two proposals for the budget for the next biennium for the three conventions.

The main priority for us is to adopt a complete cost-efficient and cost-effective budget that ensures the realisation of the agreed activities adopted by the Parties at this and former triple COPs for the coming years, through a sound and transparent management of the budget.

The European Union and its Member States believe that we need discussing some of the elements presented in the budgets from the Secretariat. We generally support the increases in the Global Trust Fund regarding the core activities of the Conventions, such as updating technical guidelines under the Basel Convention and funding the Sixth review of the financial mechanism of the Stockholm Convention.

We would however question the proposal from the Secretariat to use the savings to cover costs of the previous biennium, the costs of security, safety and staff counsellor services provided by UNOG (United Nations Office at Geneva). This should be covered by UNEP in accordance with the Memorandum of Understanding concluded between UNEP and the COPs in 2019.

On the savings, the European Union and its Member States support as a general approach to keep them in the funds of each Convention, so that they are available for the next biennium. The savings should be used for core activities of the Conventions.

We generally support the draft decisions but see some merit in amending some of the operative paragraphs, and we look forward to continuing these discussions in a contact group on budget and programme of work.

IMPLEMENTATION OF THE MEMORANDUM OF UNDERSTANDING BETWEEN UNEP AND BRS CONVENTIONS

BC Item 8; RC Item 9; SC Item 9

The EU and its Member States acknowledge the proposal from UNEP to amend the Memorandum of Understanding of the COP. As mentioned in our previous statement on Budget and Programme of Work, we question the proposal from the Secretariat to use the savings to cover costs of the previous biennium. The proposal to use the savings is made in relation to the proposed amendment of the MoU. Irrespective of any amendment of the current MoU that may be adopted at these COPs, the European Union and its Member States have strong concerns to apply retroactively decisions, in particular decisions with budget impacts.

We welcome a discussion on the proposal in the contact group on budget and Programme of Work.

CLOSING STATEMENT

Distinguished Presidents, Delegates, Ladies and Gentlemen,

The EU and its Member States **thank the Secretariat** for the preparation, organisation and its support during this Triple COP. We also want to **thank the Presidents**, together with Co-Chairs of the Contact Groups, for managing a broad agenda with open and excellent participation. Finally, we also want to express our **gratitude to all Parties and Observers** for their contributions to the lively debate on matters pertaining to the common good of us all.

The EU and its Member States came to Geneva **with the commitment**, shared with other Parties to make progress in the implementation and effectiveness of the Conventions in a spirit of cooperation and openness.

On the whole, our impression of this Triple COP has been **bittersweet**.

Let us focus first on the **sweetness** in this meeting.

We have all had the privilege to witness the successful adoption of a **compliance mechanism under the Stockholm Convention**. After more than 15 years of discussions, this historical achievement was possible thanks to a true spirit of collaboration, compromise, and effective multilateralism.

We have successfully **listed three new chemicals** under Annex A to the Stockholm Convention. The ban of these persistent organic pollutants represents a notable step forward in the elimination and full substitution of extremely hazardous substances, along the path to alleviate their burden on humans and the environment. The listing of two of these substances (dechlorane plus and UV-328) is closely related to the efforts to tackle very hazardous additives in plastics.

Turning now to **Basel**, we are very pleased that the COP adopted the **technical guidelines on the environmentally sound management of plastic waste**. We all have invested a lot of resources on this workstream and we think this is a **major deliverable** that will provide a very much needed state of the art support in the management of plastic waste. We also hope it will provide useful information for productive discussion on the future global agreement on plastic pollution set up by UNEA resolution 5/14. This shows also the capability of this Convention to deliver on this very important topic.

Further, we wish to acknowledge the **establishment of the small intersessional working group** that will work on the improvement of the functioning of the PIC procedure under Basel. We look forward to contributing to this work. We also look forward to taking part in the work to develop a renewed strategic framework, as well as in the upcoming intersessional work on various technical guidelines, including on batteries and POP containing waste.

Listing of chemicals in the Rotterdam Convention falls within the bittersweet. We have successfully listed 1 chemical under Annex III of the Rotterdam Convention. However, we have now an **outstanding list of 6 chemicals** where the COP has failed to reach the necessary consensus to list them in Annex III so that they become subject to the prior informed consent procedure. This reality that has doomed on us for so many years, has led to some of the most **bitter** discussions in this COP: the discussions on the effectiveness of the Convention.

We regret that the **proposal presented to move out of the impasse** we have found ourselves did not obtain the necessary majority amongst the Parties to be carried. The effectiveness of the Rotterdam Convention and the inability to list chemicals due to lack of consensus through the objection of very few parties, sometimes even just one, will always continue to be a very serious concern to us. The proposal to amend the Convention, in spite of not having been adopted, has given us hope to find a solution to this deadlock as it obtained very wide support amongst the parties. We will want to reinstate our willingness to finding a solution soon.

To implement our conventions requires a **secretariat** with the resources needed to do its job; in other words an adequate and affordable **budget**. The EU and its Member States thank Parties for helping the budget contact group to reach an outcome, which we believe should satisfy all parties.

We agreed on a **Technical Assistance and Financial Mechanism** that will be conducive to effectively implement the conventions at all levels, nationally and internationally, by providing parties with the necessary tools and assistance to improve implementation and enforcement.

The European Union and its Member States are true **believers in multilateral solutions** being the path to address the huge environmental challenges ahead of us, such as the sound management of chemicals and waste. We believe that a **successful implementation of these three conventions** is fundamental to make progress towards the beyond 2020 goal for the sound management of chemicals and waste and many sustainability goals of the 2030 Agenda. Furthermore, the three conventions are crucial for **addressing the third pillar of the triple planetary crisis – pollution**.

We have also heard concerns by Parties, industry and civil society that the implementation and enforcement of the Conventions need to be strengthened and we are committed to working with all of you on these issues, especially to improve the effectiveness of the Rotterdam Convention, the PIC procedure under the Basel Convention and addressing illegal traffic in chemicals and waste.

We think that **after this COP the three conventions** are still in the position to work effectively and ultimately deliver on what they set out to achieve. However, **we cannot rest on our laurels**: there is still a long way to go since pollution threatens the wellbeing of people and our planet. The EU and its Member States stand ready with this family of Parties **to resolve obstacles** in order to achieve our common goal that chemicals are produced and used, and waste is managed in a way, that will protect our people and our Planet.

Thank you.

**STATEMENTS DELIVERED AT THE SIXTEENTH MEETING OF THE CONFERENCE
OF THE PARTIES TO THE BASEL CONVENTION**

STRATEGIC ISSUES

BC Item 4(a)

Item 4(a)(i): Strategic framework

Thank you Mr President.

The EU and its Member States wish to thank the lead country, Canada, the Secretariat and the Small Intersessional Working Group for the work on the report of findings and recommendations to improve, the strategic framework for the implementation of the Convention for 2012-2021. Overall we are in agreement with the suggested findings and recommendations provided in document INF/5.

We support further work on Strategic matters and support to give a mandate to the existing Small Intersessional Working Group to develop a new Strategic framework, taking into account the report of findings and recommendations to improve the strategic framework developed by the same Group, for consideration by COP-17.

We would like to thank Canada and the United Kingdom of Great Britain and Northern Ireland for preparing a CRP, and we support the draft decision.

Thank you.

Item 4(a)(ii): Improving the functioning of the prior informed consent procedure

In line with OEWG 13 recommendation, the EU and its Member States support the establishment of a small intersessional working group at COP16. The group should be open to all Parties with a balanced representation of the five regional groups of the United Nations, and be given the mandate to identify challenges in the implementation of the PIC procedure and best practices, possible approaches and initiatives to improve its functioning.

We look forward to participating in further discussions on this issue in a contact group. We are pleased to inform you that we have prepared a CRP proposing a draft decision on this agenda item for your consideration.

Thank you.

SCIENTIFIC AND TECHNICAL MATTERS

BC Item 4(b)

Item 4(b) (i): Technical guidelines

Technical guidelines on the ESM of used and waste pneumatic tyres

1st statement

The EU and its Member States welcome the work done so far by the Small Intersessional Working Group (SIWG) established by COP 15. In view of the limited time available and current workload, we support deferring detailed work on this set of guidelines after COP16 in the SIWG. We do not think that a discussion in contact group is necessary. To this extent, we have prepared minor changes to the draft decision which we are ready to share with the Secretariat for your consideration.

Thank you

2nd statement on the wording

The changes we are proposing are as follows:

In paragraph 4: postponement of deadline by a month from 31 August to 30 September

In paragraph 5: substitute 'invites' for 'requests the secretariat, in consultation with'

Thank you

Consideration of whether to develop technical guidelines on the environmentally sound management of rubber wastes (entry B3040) and waste parings and scrap of rubber (entry B3080)

The EU and its Member States are in principle supporting the development of new technical guidelines on the environmentally sound management of rubber wastes and waste parings and scrap of rubber. Such guidelines could address leakages from these wastes to the environment, such as from artificial grass turf. This could complement the updating of the technical guidelines on used and waste pneumatic tyres where rubber contained in such tyres will be addressed. In this context, we also highlight that rubber wastes and waste parings and scrap of rubber could have similar effects as plastic waste and lead therefore to similar pollution as plastic pollution.

However, in consideration of the overall workload for the next biennium, the best timeframe to carry out this activity should be discussed. In case the overall workload is not considered too high for the next biennium, we could support starting the work on this activity at COP16, as reflected in the draft decision. We do not think that a discussion in a contact group is necessary on this matter. Thank you very much

Technical guidelines on hazardous waste physico-chemical treatment (D9) and biological treatment (D8)

The EU and its Member States do not consider that the update of the technical guidelines on the physico-chemical treatment (D9) and biological treatment (D8) of hazardous waste is a priority, considering the current workload and lack of expressed interest. However, we could support reflecting in the report of the meeting to discuss at a future COP (for example COP17) the inclusion of this item in the OEWG work programme.

Thank you

Technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with persistent organic pollutants

The EU and its Member States welcome the work done by consultants and the Secretariat in updating and completing the draft guidelines in documents INF/7 and INF/8.

We can generally support the text proposed in these documents. There are however still some outstanding issues that we would like to discuss. Notably there are still low POP content limit values to be agreed upon for some POPs. In this respect, we are supportive of establishing a single low POP content value for each POP. Therefore, we think that the technical guidelines should be discussed in a contact group.

Thank you.

Technical guidelines on the environmentally sound management of plastic wastes

The EU and its Member States wish to thank the co-lead countries, the Small intersessional working group (SIWG) and the Secretariat for their hard work on the draft technical guidelines on plastic wastes. Good progress was also made at the 13th meeting of the Open-ended working group (OEWG13).

Recalling that the current technical guidelines on plastic wastes were approved over 20 years ago, we think that their swift update is now a priority also in view of their relevance in addressing environmentally sound management of plastic waste and preventing plastic pollution.

We are ready to fully engage during COP 16 into discussions on the issues which could not be addressed by the SIWG and at OEWG 13 or on which there are still different proposals in the document. To this extent, sufficient time should be allocated to the contact group on technical matters to discuss these guidelines. We prefer that the draft in document INF/11/Rev.1 should be used as basis for the discussion in a contact group, since this document best reflects the latest progresses achieved by the SIWG.

Thank you.

Technical guidelines on transboundary movement of electrical and electronic waste and used electronic equipment, and particular the distinction between waste and non-waste under the Basel Convention

The EU and its Member States wish to thank the Secretariat and the Expert working group for the work on updating of the guidelines, as regards the recent amendments to Annexes II, VIII and IX to the Convention concerning electrical and electronic waste. We think the revised guidelines contained in document INF/10 are very useful and are ripe for adoption. Therefore, we do not see a need to discuss these guidelines in a contact group.

To this extent, we have prepared some changes to the draft decision which we are ready to share with the Secretariat.

Thank you

Item 4(b)(ii) Classification and hazard characterization of wastes

The EU and its Member States appreciate the work carried out by the Secretariat and welcome the report on the status of the work of the World Customs Organization (WCO) on the Harmonized System related to the Basel Convention. We support the Secretariat continued work and cooperation with the Harmonized System Committee and relevant subcommittees of the WCO in order to facilitate the inclusion of wastes covered by the Basel Convention in the Harmonized Commodity Description and Coding System (HS).

We welcome the elements in the proposed decision as amended in line with the recommendations by OEWG13 in paragraph 42 of document 20/Add.1, with a small change* we are ready to share with the Secretariat.

* *The small change read out:*

2. *Invites* Parties and others ~~if invited to do so,~~ to provide information to the Secretariat with a view to assisting the Secretariat in facilitating the inclusion of waste covered by the Basel Convention in the Harmonized Commodity Description and Coding System pursuant to decision BC-14/9;

Item 4(b)(iii): National reporting

The EU and its Member States welcome the elements in the proposed decision designed to improve reporting by Parties.

Thank you

Item 4(b)(iv): Electronic approaches to the notification and movement documents

The EU and its Member States welcome the ongoing work of the SIWG and are willing to continue to support this work. We can support the overall approach that is presented in document INF/17 and are interested to learn the views of other Parties and observers on how to organize this work for consideration of its outcome at COP17. We also want to highlight that the links between this work and ongoing work to improve the functioning of the notification procedure are important to take into account. We are open to a brief discussion in a contact group, if other Parties are also supportive.

In case the matter will not be discussed in a contact group, we have prepared minor changes to the draft decision which we are ready to share with the Secretariat for your consideration.

Thank you very much

Changes proposed in the draft decision (as read out; additions in bold):

3.bis. Invites Parties to consider serving as lead countries for the work referred to in paragraph 4 of the present decision and to inform the Secretariat by 31 July 2023 of their willingness to do so;

4. Requests the lead country or countries or, if there is no lead country or countries, the Secretariat, subject to the availability of resources, in consultation with the small intersessional working group to advance the work and to prepare a report with further recommendations on electronic approaches to the notification and movement documents, taking into account the experiences of Parties and non-Parties, including from pilot projects, the report with recommendations on the next steps regarding the work on electronic approaches to the notification and movement documents prepared by the Secretariat in consultation with the small intersessional working group, the comments received thereon, the report of the first consultative workshop on electronic approaches to the notification and movement documents of the Basel Convention, and the discussions at the thirteenth meeting of the Open-ended Working Group and the sixteenth meeting of the Conference of the Parties;

Item 4(b)(v): Further consideration of plastic waste

The EU and its Member States continue to be supportive of the wide range of activities carried out by the Basel Convention addressing plastic waste and plastic pollution. This is an important work stream and in view of the global dimension of plastic waste pollution, we consider that further action is needed.

Therefore, we support a discussion on whether, how and when the COP should assess the effectiveness of the measures taken under the Convention to address the plastic waste and we consider this could take place at this COP. We think that COP16 could initiate such an assessment towards a following COP (for instance COP 17). This could include collecting information on specific topics such as on how global plastic waste trade has changed, potential challenges in the implementation of the plastic waste amendments and the extent to which the entries on plastic waste have contributed to address plastic pollution.

To this extent, we have prepared some changes to the draft decision which we are ready to share with the Secretariat for your consideration or to discuss in a contact group if decided so.
Thank you

Second statement

The EU does not object to further discussion in a contact group but would like to raise the point if this matter can be handled in a different contact group than the Technical Contact Group because the Technical Contact Group is very busy with finishing the important work of the Plastic Waste Guidelines. Moreover, the Strategic Contact Group is already covering the Plastic Waste Partnership.

Item 4(b)(vi): Amendments to Annexes II, VIII and IX on e-waste

The EU and its Member States are generally supportive to targeted, editorial amendments on electrical and electronic waste in existing guidance, technical guidelines and factsheets. However, we are also mindful of the current workload for the groups tasked to prepare updates, such as PACE II and the SIWG on POP waste; therefore, launching new activities should be possible as long as the workload is kept reasonable.

As an alternative to mandating groups, we think that the Secretariat could prepare draft updated documents in cases where the changes are editorial or minor, for consideration by the OEWG14.

For these cases, we think that the COP could mandate OEWG14 to agree on updated documents on its behalf.

In addition, further discussion on the timing of updates on other documents seems necessary, also in light of the fact that updates on other issues in certain documents may also be necessary, notably on documents that are older, as for example the MPPI overall guidance document. At this stage, we are therefore hesitant to start working on updating the MPPI overall guidance document. We would also like to request the Secretariat to provide more details and their expectations on possible needs for more substantial changes.

We do not see a need to discuss these matters in a contact group.
Thank you.

LEGAL, COMPLIANCE AND GOVERNANCE MATTERS

BC Item 4(c)

Item 4(c)(i): Committee Administering the Mechanism for Promoting Implementation and Compliance

Thank you, Mr. President,

The EU and its Member States welcome the work done by the Committee Administering the Mechanism for Promoting Implementation and Compliance. We agree with the draft decision, and only have editorial comments on the draft work programme of the ICC for the biennium 2024-2025 which we have shared with the Secretariat for their consideration.

We do not see a need to discuss these matters in a contact group.

Thank you

Item 4(c)(ii): Providing further legal clarity

The EU and its Member States welcome the work done in the Expert Working Group and the outcome of the discussion held at 13th Open-ended Working Party (OEWG 13) on this important activity. In particular, we continue to consider the amendment of Annex IV a way to achieve further legal clarity in the implementation of the Convention.

Concerning amendments to Annex IV, we look forward to a discussion in a contact group on the proposal submitted by the EU and the related recommendations of the Expert Working Group. We are ready to present in the contact group the main aims of the EU proposal and its expected benefits.

We are aware of the work needed to clarify many aspects on this issue, which is both important and technical. We stand ready to engage in discussions in a contact group to explore what will be the best way forward on this.

Now, concerning amendments to Annexes I and III, we welcome progress made in developing the recommendations of the Expert Working Group; however, more work of technical nature is needed after this COP. Therefore, we suggest to limit the discussion on these Annexes to the Plenary only or, if a contact group will be established, to keep discussion relatively short.

We support the draft decision, as amended taking into account decision OEWG-13/1.

Thank you.

Item 4(c)(iv): Proposal by the Russian Federation to amend paragraph 2 of Article 6 of the Convention

The EU and its Member States do not support the proposed amendment tabled by the Russian Federation.

In our view, the proposal would not sufficiently address the problems that we consider as priorities for the functioning of the PIC procedure of the Convention. In addition, amending the body of the Convention is a long and cumbersome process and it seems disproportionate to launch such process for the amendment only of an element of paragraph 2 of Article 6, which has in our view little added value. Therefore, we do not support deferring the discussion on this proposal in a contact group.

BASEL CONVENTION PARTNERSHIP PROGRAMME

BC Item 4(e)

Partnership for Action on Challenges relating to E-waste (PACE II)

The EU and its Member States welcome the draft tables of content to serve as the basis for the further work by PACE II on the draft guidance documents after COP16, in order to present draft guidance documents to COP17 for its consideration. We also support the draft work programme of the Partnership's working group for the biennium 2024-2025.

With regard the proposed draft decision, overall, we are supportive. However, we would like to propose a new paragraph to request the working group to prepare draft guidance documents for consideration by OEWG14.

To this extent, we are ready to share with the Secretariat the new paragraph* for your consideration. Thank you

Second statement (when asked by the President to read out the new paragraph)

The EU and its Member States would like to propose to add in the draft Decision on the PACE II partnership the following paragraph, which we believe not to be controversial, as it is standard language, and which should clearly mandate the partnership to further work on draft guidance documents as referred to. The new paragraph would read as follows:

“3bis. Requests the working group to prepare draft guidance documents on television screens, including CRT, LCD and LED screens, video and audio equipment on the one hand, and refrigerators, cooling and heating equipment, on the other hand, on the basis of the table of contents as included in document UNEP/CHW.16/INF/31, for consideration by the Open-Ended Working Group at its fourteenth meeting;”

Household Waste Partnership

We would like to thank all Partnerships for the work undertaken.

The EU and its Member States appreciate that the draft guidance document contained in document 19/Add.2 has improved taking into account several of the comments provided in previous occasions.

However, we have also noted the intervention of Canada and we share similar concerns. In addition, we think that the structure of the document needs further consideration.

Therefore, we do not think that the document is currently ripe for adoption, and we think that further work is necessary on it after COP16. Part III of the draft decision should be changed accordingly. We are ready to share our thoughts in this regard with the Secretariat or in a contact group.

Plastic Waste Partnership

The EU and its Member States welcome the progress made on the implementation of the workplan of the working group of the Plastic Waste Partnership for the biennium 2022-2023 and the draft workplan for the biennium 2024-2025.

On the draft workplan of the working group of the Partnership for the biennium 2024–2025, we suggest some minor changes that have already been shared with the Secretariat early April 2023. In addition, we have concerns that the amount of work for the next biennium is very high and could not be completed on time.

Furthermore, we consider it will be helpful to clarify which outputs contained in the workplan for the biennium 2022–2023 will be finalized until the end of 2023. In case, some of its outputs could not be finalized by this time, we think they should be carried over into the workplan for the biennium 2024–2025. We hope the Secretariat could clarify on this point.

We accept part IV of the draft decision relating to this Partnership.
Thank you

**STATEMENTS DELIVERED AT THE ELEVENTH MEETING OF THE CONFERENCE
OF THE PARTIES TO THE ROTTERDAM CONVENTION**

RULES OF PROCEDURE

RC Item 4

Similarly as we said in our earlier discussion under Stockholm Convention. The European Union and its Member States believe it is important that the Conferences of the Parties and the subsidiary bodies reach decisions on outstanding issues. Therefore, if consensus cannot be reached, the possibility of two-thirds majority voting as a last resort should be available to Parties.

We are open, as proposed, to informally consult on this matter.

LISTING OF CHEMICALS IN ANNEX III

RC Item 5(b)

The European Union and its Member States agree to the confirmation of the appointment of the new experts designated for the Chemical Review Committee.

We would like to thank all outgoing experts for their input to the work of the Committee. Their contribution and dedication are a very important element in ensuring the successful work of the Committee.

The European Union and its Member States would also like to thank the Secretariat for holding the training workshops for new members of the Committee and support the request to the Secretariat to continue organising such workshops since we consider them very useful for the work of the Committee.

The European Union and its Member States would like to thank the Secretariat for all the activities carried out to improve participation, openness and transparency in the work of the Chemical Review Committee. We are confident that those activities will contribute to a better understanding of the Convention in general and in particular of the listing process.

We support the adoption of the draft decision as outlined in document RC/COP.11/5.

B.1 Acetochlor

Regarding Acetochlor, the European Union and its Member States would like to thank the Chemical Review Committee again for its work in reviewing the notifications submitted by 10 African Parties and the European Union and in producing the draft Decision Guidance Document.

The European Union strongly supports the inclusion of acetochlor in the PIC procedure. It is clear that the notified regulatory actions fully meet the criteria of Annex II.

We would like to recall that inclusion in Annex III means that the chemical will be subject to certain rules when traded internationally. A listing in the Rotterdam Convention does not in any way constitute an international ban or an invitation to Parties to restrict the use of the chemicals concerned.

In this context, we would like to remind the findings of a study that is available on the Convention website, which found that no conclusive evidence of an impact of listing on the price and the international trade in certain pesticides could be observed.

The European Union already applies a bilateral explicit consent procedure to exports of acetochlor to all countries and we would like to inform that this mechanism works well.

Since the availability of alternatives has been mentioned in the discussions today on the listing, we suggest consulting the website of the Convention, where information is made available. In addition, we suggest contacting the local offices of the FAO for any assistance as regards identification of alternatives to hazardous pesticides.

B.2 Carbosulfan

The European Union and its Member States would like to thank the Chemical Review Committee again for its work in reviewing the notifications on carbosulfan submitted by the European Union and the eight African Parties and in producing the draft Decision Guidance Document.

The European Union strongly supports the inclusion of carbosulfan in the PIC procedure. It is clear that the notified regulatory actions fully meet the criteria of Annex II.

B.3 Chrysotile asbestos

The European Union and its Member States **thank again the Chemical Review Committee** for its work in producing the DGD.

The European Union **strongly supports the inclusion of chrysotile asbestos** in the PIC procedure since **all criteria** under the Convention **are met** and all the necessary procedures have been complied with. We emphasise that chrysotile asbestos is **not any different** from other chemicals that qualify for inclusion.

We would also like to recall that **inclusion in Annex III** means that the chemical will be subject to certain rules when traded internationally and does not in any way constitute an international ban or an invitation to Parties to restrict its use. Once listed, parties remain **free to decide whether or not to allow** its use. Those countries that consider that chrysotile asbestos can be managed safely will be free to do so. Pretending otherwise to hamper the listing is harming the health of people in countries that are of the view that they cannot manage it safely.

In the European Union, the **use of chrysotile asbestos is still allowed** in diaphragms for electrolysis installations until 1 July 2025 under specific conditions. Also the export of chrysotile asbestos is still allowed and an **explicit consent procedure is applied** before an export to any country is allowed. However, **only 3 exports** of articles containing chrysotile asbestos have taken place in the past 15 years.

The European Union and its Member States want to highlight the **positive outcome of the International Labour Conference in 2022**. A decision on the inclusion of “safe and healthy working conditions” in the ILO’s framework of fundamental principles and rights at work was taken by that Conference. This changes the status of occupational safety and health because all countries must comply with the core labour standards, whether they have ratified them or not, and the **listing of chrysotile asbestos** in the Rotterdam Convention could **help countries to ensure safe and healthy working conditions** through the Prior informed Consent Procedure.

B.4 Fenthion 640 ULV (SHPF)

The European Union and its Member States would like to thank again Chad for preparing and submitting the proposal for the listing of a severely hazardous pesticide formulation, fenthion 640 ULV.

We also want to thank again the Chemical Review Committee for its work in reviewing the proposal and in producing the draft Decision Guidance Document.

The European Union strongly supports the inclusion of fenthion (ultra low volume (ULV) formulations at or above 640 g active ingredient/L) in the PIC procedure. It is clear that the proposal fully meets the criteria in Annex IV.

We would again like to recall that inclusion in Annex III means that the chemical will be subject to certain rules when traded internationally. A listing in the Rotterdam Convention does not in any way constitute an international ban or an invitation to Parties to restrict the use of the chemicals concerned.

In this context, we would like to remind the findings of a study that is available on the Convention website, which found that no conclusive evidence could be observed of an impact of listing on the price and the international trade in certain pesticides.

The European Union already applies a bilateral explicit consent procedure to exports of fenthion to all countries and we would like to inform that this mechanism works well.

Since the availability of alternatives has been mentioned in these discussions, we suggest consulting the website of the Convention, where some information is made available. In addition, we propose contacting the local offices of the FAO for assistance as regards identification of alternatives to hazardous pesticides.

B.5 Iprodione

The European Union and its Member States would like to thank the Chemical Review Committee for its work in reviewing the notifications on iprodione submitted by Mozambique and the European Union and in producing the draft Decision Guidance Document.

The European Union strongly supports the inclusion of iprodione in the PIC procedure. It is clear that the notified regulatory actions fully meet the criteria of Annex II.

B.6 Liquid formulations containing paraquat dichloride (SHPF)

The European Union and its Member States would like to **thank again Burkina Faso** for preparing and submitting a proposal for the listing of Liquid formulations containing paraquat dichloride.

We would also like to **thank again the Chemical Review Committee** for its work in reviewing the proposal and in producing the draft Decision Guidance Document.

B.7 Terbufos

The European Union and its Member States would like to thank the Chemical Review Committee for its work in reviewing the notifications on terbufos submitted by Mozambique and Canada and in producing the draft Decision Guidance Document.

The European Union strongly supports the inclusion of terbufos in the PIC procedure. It is clear that the notified regulatory actions fully meet the criteria of Annex II.

The European Union **strongly supports the inclusion of liquid formulations containing paraquat dichloride** in the PIC procedure. It is clear that the proposal for listing of liquid formulations containing paraquat dichloride fully meets the criteria of Annex IV.

We would again like to **recall that inclusion in Annex III** means that the chemical will be subject to certain rules when traded internationally. A listing in the Rotterdam Convention does not in any way constitute an international ban or an invitation to Parties to restrict the use of the chemicals concerned.

In this context, we would like to **remind the findings of a study** that is available on the Convention website, which found that no conclusive evidence could be observed of an impact of listing in Annex III on the price and the international trade in certain pesticides.

The European Union **already applies a bilateral explicit consent procedure** to exports of paraquat to all countries and we would like to inform that this mechanism works well.

Since the **availability of alternatives** has been mentioned in discussions today, we suggest consulting the website of the Convention, where some information is made available. In addition, we suggest contacting the local offices of the FAO for any assistance as regards identification of alternatives to hazardous pesticides.

ENHANCING THE EFFECTIVENESS OF THE CONVENTION

RC Item 5(c)

On the first document for our consideration, **the report from the Secretariat on the work done to enhance the effectiveness of the Convention**.

The European Union and its Member States would like to **thank** the Secretariat for the work to implement the **dissemination strategy** and for the work to **increase transparency and train Parties** on processes and mechanisms under the Convention, including **the development of guidance and tools** to improve engagement in all Convention processes.

We see merit in **continuing implementation of the dissemination strategy**, which contains a number of actions that are **expected to further improve** the information on the functioning of the Convention, the transmission of that information to stakeholders and the involvement of a broader target audience in particular in national processes to implement the Convention and to improve chemicals management.

Therefore, we suggest(ed) **addressing continuation of that work** by the Secretariat under the agenda item **on implementation** of the Convention.

On proposal to amend the Convention

The EU would like to thank the proponents for the proposal to amend the Rotterdam Convention by introducing an Annex VIII and the corresponding changes in the Convention text.

We have a long list of chemicals that have been recommended by the Chemical Review Committee for listing in Annex III since they meet all relevant criteria under the Convention, but the Conference of the Parties did not yet reach consensus on their listing due to few Parties that oppose.

This situation already persists in some cases for many years and a number of actions have been implemented by the Secretariat to overcome this backlog, but with limited success as regards the listing.

In the light of that situation, we understand the proposed amendment, which would allow listing in a new Annex VIII and corresponding application of an explicit consent procedure, as an intermediate step on the way to Annex III listing. This step will allow those Parties that would like to advance in their efforts to better regulate the international trade in certain hazardous chemicals to do so whilst continuing the consideration of Annex III listing, which will still be the ultimate objective.

The most important advantage of Annex VIII listing will be in our view the improvement in the protection afforded to Parties against unwanted imports of certain hazardous chemicals as Parties will get the possibility to express their decision on future imports in an import response that will have to be respected by exporting Parties. In the absence of a consent given by the importing Party, export of a chemical listed in Annex VIII will not be allowed.

We support the amendment and would like to engage in discussions with you all on the details of the suggested new Annex VIII and the corresponding explicit consent procedure.
Thank you.

On the proposal to amend article 16

The European Union and its Member States **thank the proponent Parties** for their proposal to amend Article 16 of the Rotterdam Convention, which we have read and considered with interest. We believe that relevant and effective decisions have already been taken in various fora to foster the provision of technical and financial assistance for implementation of the Rotterdam Convention.

In line with decision RC-7/8, it should be recalled that **the support provided** to countries by the Global Environment Facility already takes into account, subject to its mandate, possible relevant aspects of the Rotterdam Convention within the revised focal area for chemicals and waste.

Furthermore, the European Union and its Member States would like to **underline that the Special Programme** has been set up to support institutional strengthening and capacity building in developing countries. We are committed to continue supporting the work of that programme.

We remain committed to **support developing countries** in accordance with the provisions of the Rotterdam Convention and relevant COP decisions on the implementation of the integrated approach to financing.

The proposed **amendment**, in our view, **would not bring added value**. In addition, the amendment would not be in line with the mandate and procedures of the GEF and would therefore require amendments to the GEF.

In view of these considerations, we believe that is important to focus at present on making full and efficient **use of existing instruments in implementation of the integrated approach to financing**.

On CRP 3 by Brazil. The European Union and its Member States would like to **recall the intersessional process on the effectiveness** of the Rotterdam Convention already undertaken (2013-2017) the so-called Riga process. We have the view that the findings of that process have already been successfully implemented by the Secretariat.

In addition, the EU did a **study on the impact on international trade** of listing of chemicals under the Convention, that did not find any evidence of impacts on the price and international trade.

In conclusion, **we do not support CRP 3**. If there is a decision to discuss this CRP, it should be done in the Contact Group on listing as the issues proposed by Brazil in the CRP are closely related with listing.

Effectiveness

Thank you, Madam President.

The European Union and its Member States would like to **thank the proponents** for submitting CRP11, which we believe is a genuine effort to find a way forward to the impasse we have found in discussions on the effectiveness of the Convention. That is the inability to list in Annex III chemicals that meet all relevant criteria under the Convention, but where a few Parties' opposition do not allow the Conference of the Parties to reach consensus.

The proposal allows those willing to move forward to do so, without obliging those that are reluctant, while we all collectively continue the consideration of Annex III listing, which will still be the ultimate objective.

The European Union and its Member States **support CRP 11**.

The European Union and its Member States regret that the proposal presented in CRP11 did not obtain the necessary majority amongst the Parties to be carried.

The effectiveness of the Rotterdam Convention and the inability to list chemicals due to lack of consensus through the objection of very few parties, sometimes even just one, is a very serious concern to us. It has been for many years, and we are committed to finding a solution.

But we also regret the division in this room: the vote today has demonstrated that it is together that we will be able to achieve the protection that the Rotterdam Convention wants to afford to human health and the environment. We really hope that we all reflect on what has happened here today, these weeks, in this COP so that in the months and years to come parties can recommit to solidarity and to constructive discussions.

We also want to thank you Madam President for the conduction of this point and this discussion.
Thank you

COMPLIANCE

RC Item 5(d)

The EU and its Member States would like to thank the Compliance Committee for its work in reviewing some aspects of systemic issues of general compliance.

The EU and its Member States can in principle support the draft decision outlined in document RC/COP.11/14 and the suggested programme of work for the biennium 2024-2025.

- In paragraph 2, we suggest adding the wording “, subject to the availability of resources,” after “Requests the Secretariat”.
- In paragraph 6, we agree with the intention but prefer a more neutral wording, and we propose to strike out the wording “usefulness and need” and instead add “importance”.

ADOPTION OF THE REPORT OF THE MEETING

RC Item 12

The EU and its Member States align with the statement from Colombia and acknowledge the discussion in the contact group on budget and programme of work, on the matter of travel support for bureau members from developing country parties and parties with economies in transition. [As Colombia,] We [also] see a merit in reflecting this in the meeting report. Thank you.

**STATEMENTS DELIVERED AT THE ELEVENTH MEETING OF THE CONFERENCE
OF THE PARTIES TO THE STOCKHOLM CONVENTION**

RULES OF PROCEDURE

SC Item 4

The European Union and its Member States believe it is important that the Conferences of the Parties and the subsidiary bodies reach decisions on outstanding issues.

We support the proposal from Chile to further discuss this at this COP.

**MEASURES TO REDUCE OR ELIMINATE RELEASES FROM INTENTIONAL
PRODUCTION AND USE**

SC Item 5(a)

Item 5(a)(i): Exemptions

The European Union and its Member States would like to thank the Secretariat for the report on implementation of specific exemptions and acceptable purposes and other exemptions.

We support the adoption of a decision as outlined in document POPS/COP.11/4, with two minor editorial changes. We suggest deleting “excluding clothing and toys” from point 2 since that wording may be misunderstood in that context: clothing and toys are not subject to the exemption, but the way the paragraph reads, it could be understood that they are exempted from the fact that registrations for the exemption can no longer be made. In addition, we suggest changing the introduction between points 9 and 10. For readability, point 9 should start with “Requests” and point 10 with “Also requests”.

Item 5(a)(ii): DDT

The European Union and its Member States would like to thank the DDT Expert Group for their work to date as well as for their recommendations, which recognise that the continued need for DDT for indoor residual spraying in specific settings for malaria vector control and the global vector control landscape and conditions for decision making on the use of DDT have recently changed.

In view of these positive developments and the negative impacts on human health and the environment of exposure to DDT and the availability of a number of viable alternatives, we welcome the recommendations towards supporting a focused phasing out of DDT.

To this effect, we support the proposal to do further intersessional work on the prospect of the phase out of DDT for those parties that are in the DDT register and to report on that work to the COP at its 12th meeting.

We would like to thank all Parties for their efforts to reduce the use of DDT for malaria vector control, in particular through promotion of alternatives. We acknowledge that any reduction requires substantive efforts in the light of the increasing threat caused by malaria. In this context, we would like to encourage industry to increase their investment in the development of alternatives, which are crucial to achieve a further reduction of the use of DDT.

Since the sound management of obsolete stocks of DDT is essential for the prevention of any harm to human health or the environment, we would like to urge all Parties that have used or are still using DDT to ensure that their inventories are up-to-date and that all obsolete stocks are disposed of in a sound manner

In conclusion, the European Union and its Member States support the decision proposed by the Secretariat in document POPS/COP.11/5.

Thank you.

Item 5(a) (iii): Polychlorinated biphenyls

The European Union and its Member States would like to thank UNEP, the PCB Elimination Network, the Small Intersessional Working Group, Colombia as lead country for this group and the Secretariat for their work and for the reports.

We would like to reiterate the Convention's objective regarding PCBs, which is to eliminate the use of PCBs in equipment by 2025 and make determined efforts to destroy liquids and equipment with PCBs by 2028. The European Union has internal legislation on PCBs since 1976 and has made significant progress towards elimination and sound disposal of PCBs. We appreciate the work done by many Parties to eliminate PCBs, which resulted in substantive progress, and we welcome the information provided by China on the landmarks they have achieved in the elimination of PCBs.

Yet, we acknowledge, a lot still has to be done to meet the objectives of the Convention.

The EU and its Member States stepped up our efforts to support developing countries to meet the deadlines of the Convention. One month ago, the EU has concluded a 2 Mio USD technical assistance project with the BRS Secretariat to help Parties in their efforts to meet the objectives of the Convention as regards elimination of PCBs.

We are ready to work with all Parties as regards environmentally sound management of waste containing PCBs and to make available our experience and knowledge in order to support achieving the global objective.

We support in principle the decision suggested in document POPS/COP.11/6 but have some comments. We would like to suggest that the deadline for comments on the guidance on inventories in paragraph 3 should be prolonged to 31 October 2023. Furthermore, we suggest emphasising in paragraph 17 the task for the Secretariat in relation to the PCB elimination network to coordinate the numerous technical assistance activities undertaken by various Parties. We have issued a CRP to reflect the changes and are interested in your views on them.

We would be open to examine China's proposal for amendment of paragraph 17 of the decision, but we were wondering whether we should not do so preferably in the context the discussions on the decision on regional centres taking place in the contact group on technical assistance.
Thank you.

Item 5(a)(iv): Perfluorooctane sulfonic acid, its salts and PFOSE

The EU and its Member States would like to thank the POP Review Committee and the Secretariat for this review of the acceptable purpose and the specific exemptions for PFOS.

We consider that the phase out of all remaining PFOS uses should be further accelerated. PFOS is part of the larger PFAS group and is one of the most studied PFAS. Its risks for human health and the environment are clear. Actions to phase out PFAS in various uses are taken in many countries around the world. In the EU, we have started the process for restricting all PFAS in all uses, except those that are currently still considered essential and have no alternatives.

It is regrettable that no progress has been made for the elimination of the use of PFOS as insect bait for control of leaf-cutting ants, which leads to direct emission of PFOS into the environment, despite the wide availability of chemical and non-chemical alternatives on the market. We would like to ask Parties still making use of this acceptable purpose to submit information on volumes and emissions during the next review.

Concerning the specific exemptions for the use in fire-fighting foams and in hard chromium plating, we would like to encourage a transition to fluorine-free alternatives in view of the wide-spread contamination with PFAS and the on-going regulatory actions on the whole group.

Specifically for fire-fighting foams, fluorine-free alternatives are available and can already be used in most cases, as indicated in the BAT/BEP guidelines for PFOS and PFOA. Replacement of PFAS-based foams with fluorine free alternatives will prevent PFAS contamination of soil and water, which is very difficult and costly to remediate.

The EU and its Member States support the use of the BAT/BEP guidelines for any continued use of PFOS. Furthermore, if substitution with a fluorine-free alternative is not possible, these BAT/BEP guidelines should preferably also be applied when PFOS is substituted by a drop-in PFAS substance, to avoid emissions of PFAS.

The EU agrees to the draft decision suggested in document POPS/COP.11/7.
Thank you very much.

MEASURES TO REDUCE OR ELIMINATE RELEASES FROM UNINTENTIONAL PRODUCTION

SC Item 5(b)

The European Union and its Member States would like to thank the Secretariat for the work and would like to express appreciation for the work of the experts on the Toolkit and guidelines and guidance on Best Available Techniques and Best Environmental Practice.

We consider the Toolkit and the guidelines and guidance on best available techniques and best environmental practices very important for achieving the objective of the Convention to reduce or eliminate unintentional releases of POPs. Therefore, we place a high value on this work and would like to encourage all Parties and stakeholders to extensively use the guidelines and guidance.

The EU and its Member States would like to inform that, in the European Union, we recently did a project on sites contaminated with hexachlorocyclohexane, also known as HCH through which we discovered a lot of new contaminated sites. In that project, we did some pilots to work with local authorities and provide guidance on sound management of contaminated soil and remediation. We will make available the results of that project for consideration in the update of guidance.

We support the decision outlined in POPS/COP.11/8.
Thank you.

IMPLEMENTATION PLANS

SC Item 5(d)

The European Union and its Member States thank the Secretariat for the report and wish to emphasise the importance of the implementation plans. We urge all Parties to develop or update and submit any missing or delayed plans.

We would also like to thank the Secretariat for the work done to revise existing or develop new guidance and for the support as regards the development of the electronic template. We encourage all Parties to use the guidance as extensively as possible to properly implement the Convention. In addition, we are grateful that UNEP support this work.

The Convention has several obligations that are mandatory for Parties. We would like to stress the importance of that templates and guidance documents are clear on what are obligations and what is additional supportive information which can be supportive but is not mandatory. We would therefore urge the Secretariat and UNEP to more clearly differentiate between what is mandatory obligations and what is additional complementary information. This would in our view enhance the support given the Parties.

We agree in principle to the proposed decision in the document, but we suggest a later deadline for submission of comments by Parties in three paragraphs (6, 7 and 8), for example 31 October 2023 instead of 31 August.

LISTING OF CHEMICALS IN ANNEX A, B OR C TO THE CONVENTION

SC Item 5(e)

POPRC: developments for action by the COP

The European Union and its Member States would like to thank the Secretariat for the activities undertaken and the reports provided, including the organisation of the training workshops for new members of the Persistent Organic Pollutants Review Committee and we support the request to the Secretariat to continue organising such workshops since we consider them very useful for the work of the Committee.

We would also like to thank the Secretariat for all the activities carried out to improve participation, openness and transparency in the work of the POP Review Committee. We are confident that those activities will contribute to a better understanding of the Convention in general, and of the review process for proposed chemicals in particular.

The European Union and its Member States agree to the confirmation of the appointment of the new experts designated for the Committee.

We would like to thank all outgoing experts for their input to the work of the POP Review Committee. Their contribution and dedication was a very important element in ensuring the successful work of the Committee.

We would also like to thank Mr. Peter Dawson for his good job chairing the POP Review Committee and support his election.

The European Union and its Member States support the adoption of the draft decision as outlined in document POPS/COP.11/11. We however suggest adding a paragraph requesting the POP Review Committee to assess its need for interpretation in its meetings. We are aware that the Chemical Review Committee under the Rotterdam Convention works efficiently without interpretation. This proposal is to assess whether it could also be an option for the POP Review Committee as well. The new paragraph would read as follows:

“• 8. bis. Requests the Committee to assess the need for interpretation during its meetings and to report on its result to the Conference of the Parties at its twelfth meeting.”

REPORTING PURSUANT TO ARTICLE 15

SC Item 5(h)

The European Union and its Member States would like to thank the Secretariat for the work done to improve the reporting and support all further work that aims at facilitating the reporting, increasing the reporting rate and improving the quality of the reports.

We would like to emphasise the importance of reporting as a data source for the operation of the Convention, not least for the effectiveness evaluation.

The European Union and its Member States support in principle the proposed decision on reporting outlined in the document. However, we suggest a minor amendment to paragraph 2 of that decision, where we suggest deleting the word “complete” before “national reports” as the challenge to ensure completeness could influence reporting rate negatively.
(If the decision has been opened by other Parties)

In addition, we suggest splitting sub-paragraph 6(b) into two sub-paragraphs to ease reading and put more emphasis on the improvements. In the new subparagraph 6(c), which starts with “to improve the user-friendliness” we suggest adding the words “the reporting rate and” after “enhance”.

EFFECTIVENESS EVALUATION

SC Item 5(i)

The European Union and its Member States would like to thank the Secretariat, the effectiveness evaluation committee, and others for the work done to support the effective implementation of the Convention and their contribution to the effectiveness evaluation. We will continue to contribute to this important work and fully support the process for effectiveness evaluation.

This is the second evaluation of the effectiveness of the Stockholm Convention, the process we have to assess whether the Convention has succeeded. We are therefore pleased to acknowledge that the effectiveness evaluation committee confirm that the Convention provides an effective and dynamic framework.

Monitoring shows that progress has occurred since the first evaluation and that regulations and actions targeting POPs have succeeded in reducing levels of POPs in humans and the environment.

We believe this deserves to be given more visibility in the decision and suggest to highlight this in a separate paragraph. We further acknowledge that the Committee also identified some slow progress and that issues are hindering the full implementation of the Convention persist

Further we do not support para 6 in the draft decision as it stands since it in our view is unclear on how this contributes to other processes and reports. We suggest amending this paragraph to instead request the Secretariat to visualise the achievements of the Convention and other findings by making the second evaluation report broadly available together with a short summary of this report.

We believe that the invitation in para 7, to provide technical assistance belongs in a decision for Technical Assistance and financial matters and should be deleted here.

We note that paragraph 8 in the draft decision covers the full spectrum of measures provided for in the Stockholm Convention as priority areas for actions. We however believe that the subparagraph f) and g) in para 8 belongs in the decision for TA/Financial matters and could therefore be deleted here.

Finally, we have a general question why also joint decisions start with a paragraph related to the Stockholm Convention effectiveness evaluation.

As announced by the Secretariat the EU and its Member States have issued a CRP to reflect the suggested amendments to the draft decision.

Thank you

COMPLIANCE

SC Item 5(j)

The European Union and its Member States would like to stress the importance of an effective compliance mechanism for the Stockholm Convention.

We believe that the recently established compliance mechanism under the Rotterdam Convention can provide useful experience and insights, and we hope that it can help move the discussions forward on this issue.

We would like to note that the report on the second effectiveness evaluation developed by the effectiveness evaluation committee points to addressing compliance and establish compliance procedures and mechanisms as one of the priority areas for action to address implementation challenges, recommending the Conference of the Parties to urgently establish compliance procedures and mechanisms.

Therefore, we strive to reach agreement on such compliance mechanism during this Conference of the Parties.

The European Union and its Member States would look forward to continuing detailed discussions.

ADOPTION OF THE REPORT OF THE MEETING

SC Item 12

Madame President,

The Stockholm Convention entered into force nearly 20 years ago, in May 2004. Since then it has been an aspiration foreseen under Article 17 of the Convention to set in motion compliance procedures.

Today, this aspiration has become a reality. Colleagues have worked tirelessly within the contact group in a true spirit of collaboration, compromise, and effective multilateralism to get us to the historic point where we stand today.

We have seize the day and set in motion a means to facilitate compliance with the obligations set by this important convention, namely to eliminate or restrict the production and use of persistent organic pollutants (POPs).

We extend our sincere thanks to all participants for making this success possible.
