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From: General Secretariat of the Council

To: Delegations

Subject: Outcome of the second segment of the Triple Conference of the Parties to the Basel (COP 15), Rotterdam (COP 10) and Stockholm (COP 10) Conventions (Geneva, Switzerland, 6-17 June 2022)

- Information from the Presidency and the Commission

Delegations will find in the [Annex](#), for information, a report from the outgoing French Presidency and the Commission on the outcome of the abovementioned meeting.

**Outcome of the second segment of the Triple Conference of the Parties to the Basel (COP 15),
Rotterdam (COP 10) and Stockholm (COP 10) Conventions**

(Geneva, Switzerland, 6-17 June 2022)

- Information from the Presidency and the Commission –

Introduction and Overview

1. The Conferences of the Parties (COPs) of the Basel Convention on the Control of Transboundary Movements of hazardous wastes and their disposal, the Rotterdam Convention on the Prior Informed Consent Procedure for certain hazardous chemicals and pesticides in international trade and the Stockholm Convention on Persistent Organic Pollutants were held back-to-back for the fifth time. Due to the COVID-19 pandemic, this Triple COP was divided in two parts. The first part of the COPs was held online 26-30 July 2021 with a limited agenda. The second part was held as an in-person/hybrid meeting from 6-17 June 2022.
2. The theme of the three COPs was “Global Agreements for a Healthy Planet: Sound management of chemicals and waste”. Around 1500 participants attended the conference, including observers from non-Parties, NGOs and BRS regional centers. The COPs adopted 23 decisions under the Basel, 9 decisions under the Rotterdam and 16 decisions under the Stockholm Convention, and in addition 7 decisions that were jointly adopted by the three Conventions, all aimed to strengthen the protection of human health and the environment from hazardous chemicals and wastes.
3. The three legally autonomous Multilateral Environmental Agreements convened the joint meeting of the COPs to strengthen cooperation and coordination between the Conventions, with a view to enhancing policy coherence and the effectiveness of their activities on the ground. Each of the Convention’s COP convened also individually over the two-week period to deal with its own specific topics of the global chemicals and waste agenda.
4. The next meetings of the COPs will take place in May 2023, in principle in Nassau, Bahamas.

Individual Conventions

Basel Convention

5. The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal regulates the export and import of hazardous waste and certain other waste (household waste, residues arising from the incineration of household waste and plastics difficult to recycle). The Basel Convention was adopted in 1989 and entered into force in 1992. It currently has 189 Parties. The European Union and all Member States of the European Union are Parties to it.
6. The most prominent decision adopted at the COP15 is the inclusion of all electric and electronic equipment wastes (“e-waste”) into Annexes II and VIII of the Convention. This outcome was possible thanks to an amendment proposal submitted prior to the COP by Switzerland and Ghana. The EU and its Member States were supportive of the proposal and were instrumental in achieving a compromise on the exact wording of the new entries for e-waste. As a result, transboundary movements of e-waste (hazardous and non-hazardous) will be subject to the control mechanisms of the Convention. This will help countries to control e-waste imported into their territories, as well as to encourage better sorting and recycling of e-waste, thereby contributing to the transition towards circular economy models. These amendments to the Annexes will enter into force on 1 January 2025. The COP further decided to extend the mandate of the existing expert working group on e-waste technical guidelines, to allow for integration of the new amendments in these guidelines.
7. The COP15 adopted 6 technical guidelines for the environmentally sound management of waste, including three guidelines on POPs waste, one on mercury waste, one on the incineration of waste and one on specially engineered landfilling. However, consensus could not be reached on the technical guidelines on environmentally sound management of plastic waste. It was the first time this document was presented to the COP and more time is needed to fully develop the document. Negotiations will have to continue on the way to COP16. The technical expert group will also start working on the revision of guidelines on lead-acid batteries; based on an EU proposal, work will also start on the management of other batteries (notably lithium batteries, which are increasingly important to achieve climate neutrality and electrification) and on waste tyres (as an important contributor to the microplastics issue).

8. Following another proposal from the EU, a consultation process on improving the Prior Informed Consent (PIC) procedure of the Basel Convention was also launched. Parties were invited to provide feedback on their challenges in implementing the PIC procedure and proposals to address these challenges.
9. Finally, a first discussion on the EU proposal to amend Annex IV of the Convention took place. More work on this complex topic will be needed towards COP16, which will convene in 2023.

Rotterdam Convention

10. The Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade provides certain rules for international trade in hazardous chemicals listed in Annex III to the Convention. The Convention was adopted in 1998 and entered into force in 2004. It currently has 165 Parties. The European Union and all its Member States are Parties to it. The Rotterdam Convention does not ban or restrict trade in chemicals or pesticide formulations, but serves to strengthen the protection of human health and the environment by ensuring informed decision-making on the import of chemicals listed in Annex III and by exchanging safety information between exporting and importing Parties.
11. The 10th Conference of the Parties (COP10) adopted the listing of decabromodiphenyl ether (decaBDE) and perfluorooctanoic acid (PFOA), its salts and related compounds in Annex III, submitting them to the Prior Informed Consent (“PIC”) procedure and information exchange between Parties. Both substances are already listed in Annex A (elimination) of the Stockholm Convention with some specific exemptions on production and use.
12. Unfortunately, once again, the COP was unable to reach consensus on the listing of the other five candidates, 2 pesticides (acetochlor, carbosulfan), 2 severely hazardous pesticide formulations containing fenthion or paraquat, and chrysotile asbestos, despite decisions adopted by previous COPs that all the conditions for listing had been met. For the pesticides, those Parties that use them in agriculture remain concerned about the potential negative impacts of listing on the cost and availability for their farmers, and thus on food security. These and other arguments put forward by opposing Parties, such as the lack of effective alternatives and the blacklisting of listed chemicals by private certification schemes for agricultural products, are beyond the criteria and scope of the Convention.

13. Regarding chrysotile asbestos, some Parties (Kazakhstan, Russia, Syria) disputed scientific data and conclusions concerning health and environmental effects of chrysotile asbestos and requested an assessment of new data, which is not in line with the criteria under the Convention. Kazakhstan even proposed removing this substance from the list of candidate substances for consideration by the COP, but many Parties, including the EU, strongly opposed this proposal.
14. The COP adopted the first work programme of the Compliance Committee (established in 2019), which was tasked to review systemic issues of general compliance, and to make recommendations.
15. Finally, many Parties expressed their concerns about the effectiveness of operations under the Convention regarding both issues of implementation in developing countries due to the lack of a financial mechanism, as well as the difficulties with the listing process.

Stockholm Convention

16. The Stockholm Convention on Persistent Organic Pollutants (POPs) currently regulates 30 chemicals that are toxic, persistent, travel long distances and bio-accumulate in organisms. The Convention was adopted in 2001 and entered into force in 2004. It currently has 185 Parties. The European Union and 26 of its Member States are Parties to it.
17. The 10th meeting of the Conference of the Parties (COP10) adopted the listing of perfluorohexane sulfonic acid (PFHxS), its salts and PFHxS related compounds in Annex A (elimination) of the Convention without exemption. This group of substances belongs to the large group of PFAS, the so-called “forever chemicals”, and their listing is an important step forward towards achieving full elimination of the use of these highly hazardous chemicals.
18. A number of important decisions to advance the work towards elimination of listed POPs were adopted, such as on the work plan for further development of the Best Available Techniques (BAT) and Best Environment Practices (BEP) to reduce or eliminate releases from unintentional production, on the work to eliminate polychlorinated biphenyls and on the measures to reduce or eliminate releases from wastes. Decisions were also adopted on the management of existing exemptions, reporting obligations, national implementation plans and for effectiveness evaluation of the Convention, including the global monitoring plan.

19. Regarding the continued use of DDT (insecticide), further measures were agreed to make progress as regards the phase-out by the 18 countries currently registered for the exemption to use DDT to eliminate malaria-spreading mosquitoes, which will have to submit a substitution plan by 1 January 2023, for review by the dedicated group of experts.
20. Finally, the COP could not make any progress towards the establishment of a compliance committee for the Stockholm Convention, mainly due to Iran's firm opposition.

Budget and Technical Assistance and Financial Resources

21. The Parties adopted the work programmes and budgets of the Basel, Rotterdam and Stockholm Conventions for 2022-2023. The Parties agreed on a global budget including an overall increase of 0.5% compared to 2020-2021, for a total of USD 30,120,755 (Basel Convention: increase of 1.1% with a total of USD 9,814,544; Rotterdam Convention: increase of 0.5% with a total of USD 8,368,603; Stockholm Convention: constant budget of USD 11,937,608). The increase in the mandatory budget was limited thanks to comments from the European Union and its Member States, which carefully scrutinized the figures and identified some issues that were corrected during negotiations.
22. The EU and its Member States are the main donors supporting the implementation of the conventions, including assistance to developing country Parties. Tools for enhanced implementation of the technical assistance plan for the 2022 to 2023 period were agreed, including the role of the regional centres of the Basel and Stockholm Conventions.
23. Regarding the Financial Mechanism for the Stockholm Convention, the COP gives clear guidance to the Global Environment Facility (GEF) on the priorities identified in the context of the 8th GEF replenishment, including a mandate to promote the development of projects on elimination of polychlorinated biphenyls. But the COP was unable to welcome the 8th replenishment of the GEF and the increase of funds in the chemicals and waste field due to Iran's opposition. Therefore, many Parties including the EU addressed this in a specific statement in plenary.

Governance and Synergies Issues

24. The COPs emphasized the importance of the cooperation with the Minamata Convention and other multilateral environmental agreements and relevant organisations such as the World Health Organisation. As proposed by the EU, a clear mandate was given to the Secretariat to contribute to the negotiations on the future plastics treaty and on the upcoming science-policy panel on chemicals, waste and pollution prevention.
25. Finally, the COPs adopted several decisions to enhance cooperation among the three conventions (e.g. on synergies in preventing illegal trade and traffic; science to action; joint clearing house mechanism for information exchange), including a mechanism for reporting by parties of cases of illegal trade in chemicals.

