

BRS Conventions COPs Highlights: Tuesday, 7 June 2022

The TripleCOP focused on financial resources and technical assistance, and on compliance for all Conventions. The Basel Convention (BC) COP addressed technical and legal work. The Stockholm Convention (SC) COP opened several items related to implementation.

Joint Sessions of the COPs

Matters Related to the Implementation of the Conventions

Technical Assistance: The Secretariat introduced the documents (CHW.15/16, 17; RC/COP.10/15; POPS/COP.10/13, 14, and INF/28-31, 68).

Many parties appreciated the technical assistance provided by the Secretariat and regional centres.

Many countries supported the proposed technical assistance work programme for 2022-2025. The AFRICAN GROUP and other developing countries called for further financial resources and increased national ownership in technical assistance and technology transfer.

The EU supported the proposed decisions, but suggested deleting a paragraph on the establishment of two BC regional centres for the Central and Eastern European region, saying the authorization was already given in a previous COP decision.

IRAN suggested there is “unfair” treatment of certain parties. He cited a request for POPs monitoring equipment that his country made to the Secretariat, which he said was unanswered. The SYRIAN ARAB REPUBLIC called for lifting sanctions.

Executive Secretary Payet urged parties to submit projects under the small grants fund and make use of available resources. In response to Iran, he specified that there is no funding to purchase monitoring equipment, with Iran noting they were requesting technical support on a software problem.

A contact group was established for technical assistance and financial resources, co-chaired by David Kapindula (Zambia) and Premysl Stepanek (Czech Republic).

Financial Resources (BC and RC) and Financial Resources and Mechanisms (SC): The Secretariat presented the documents (POPs/COP.10/15/Rev.1, INF/32-36, 36/Add.1, 56, 56/Add.1, 63 and 64).

UNEP presented the special programme (CHW.15/INF/38; RC/COP.19/INF/21; POPS/COP.10/INF/38). The COPs took note of the information.

The GEF presented its report (POPs/COP.10/INF/36 and 36/Add.1), noting that out of USD 800 million allocated for the chemicals and waste focal area in GEF8, over USD 400 million

will be dedicated to the implementation of SC. Many countries welcomed the GEF8 replenishment.

BRAZIL called for further simplifying the GEF approval process.

BENIN, with NIGER, KENYA, GHANA, ETHIOPIA, GUINEA, THAILAND, and CUBA noted that new listings increase financial needs, with countries highlighting support needs for updating national implementation plans, meeting PCB deadlines, dealing with DDT and other pesticides, and supporting national reporting and laboratories. BOLIVIA and the SEYCHELLES noted the need to continue strengthening regional centres.

CANADA and the US urged countries to stress their financial needs on chemicals at the GEF.

The EU requested the Secretariat to provide information on replacing PCB amounts with technical options for destruction, ways to strengthen the quality of data, and on the GEF’s PCB projects. COLOMBIA highlighted the participation of industries in funding PCB-related efforts.

IRAN expressed concerns regarding GEF not serving all parties equally and, with VENEZUELA, requested the COPs to urge the GEF to stop politicizing funding decisions.

CHINA requested the GEF to implement parties’ guidance, including on priority funding areas. He also noted that the funding gap remains and called on developed countries to increase financial assistance.

IPEN called insufficient funding the main challenge of SC implementation, pointing out that USD 400 million dedicated to the SC constitutes less than 10% of parties’ needs. He called for a financial responsibility mechanism to ensure the chemical industry pays for the pollution it causes.

The decision on financial resources will be developed by the contact group on technical assistance and financial resources.

Programme of Work and Budget

Executive Secretary Payet expanded on the two budget scenarios for 2022-2023, the impacts of the COVID-19 pandemic, and voluntary funding from donors, amongst other aspects. The Secretariat introduced the revised combined proposal (CHW.15/26/Rev.1; RC/COP.10/22/Rev.1; and POPS/COP.10/26/Rev.1) and on the mobilization of resources from non-state actors (CHW.15/28/Rev.1; RC/COP.10/24/Rev.1 and POPS/COP.10/28/Rev.1).

Ghana, for the AFRICAN GROUP, called for sufficient resources to update guidelines, such as on the disposal of batteries, and for intersessional work. MEXICO, with CHILE,

COLOMBIA, and COSTA RICA, reiterated their concerns on funding allocated for the participation of developing countries.

The EU noted the priority was to adopt an efficient and effective budget that guarantees the implementation of the proposed activities. CANADA stressed that the savings incurred during the pandemic had been wiped out by arrears in the payments of dues. The UK called for provisions for online participation. SWITZERLAND stressed that the CRC, POPRC, and other bodies should be adequately funded.

The SC COP took note of the information provided on the mobilization of resources from non-state actors.

A contact group was established, co-chaired by Reginald Hernaes (the Netherlands) and Sam Adu-Kumi (Ghana).

Stockholm Convention

Matters Related to the Implementation of the Convention

Listing of Chemicals in Annexes A, B, and/or C: SC COP President Kalnins invited parties to comment on the proposed action on the POPs Review Committee (POPRC) (POPS/COP.10/11). The EU suggested requesting the POPRC to identify by 15 July 2022, by electronic means, an interim Chair to preside over POPRC18, and to decide to consider the election of the POPRC chair at COP11. Parties adopted the amended decision.

Effectiveness Evaluation: The Secretariat introduced the item (POPS/COP.10/17) and the global monitoring plan for effectiveness evaluation (POPS/COP.10/18; INF/41, 42). He drew attention to the proposed actions for COP consideration. UNEP discussed the reports of the meetings of the global coordination group to the global monitoring plan (INF/40/Rev.1), noting the data generated.

The EU supported the decisions. PAKISTAN and GHANA highlighted data gaps in their regions while THAILAND and KENYA discussed national initiatives.

Ecuador, for GRULAC, called for science and policy linkages; VENEZUELA for heightened analytical capacity; and URUGUAY for linkages between environmental and human health. ANTIGUA AND BARBUDA stressed the central role of data while TUNISIA said the evaluation could enable gaps to be filled and challenges met.

IPEN drew attention to the burden carried by Indigenous Peoples and other vulnerable communities. IRAN reflected that parties might suffer delays whilst attempting to intensify their efforts.

The decisions (POPS/COP.10/17 and 18) were adopted with minor amendment, pending confirmation from the budget contact group.

Measures to Reduce or Eliminate Releases from Intentional Production and Use: Exemptions: The Secretariat presented the relevant documents on specific exemptions, acceptable purposes and other exemptions (POPS/COP.10/4/Rev.1; INF/17 and 18).

NORWAY supported the decisions. Ghana, for the AFRICAN REGION, noted alternatives needed to be considered. The US suggested including the dates of the exemption and expiration online. IPEN drew attention to studies demonstrating the harmful effects of exemptions that allow the continued use of POPs.

IRAN asked for more time to consult. SC COP President Kalnins deferred the decision.

DDT: The Secretariat introduced the documents (POPS/COP.10/5; INF9-10) and UNEP presented the road map for the development of DDT alternatives (INF/11).

Observing the recent changes in vector control options and availability of alternatives, the EU presented CRP.7 that initiates a review of the continued need for DDT, requests parties on the DDT Register to review their current needs, and begins consultations on a phase-out plan. She withdrew part of the proposal that called for, at the next COP, ending the ability for new countries to join the DDT Register, but maintained, supported by NORWAY, that the reporting cycle could be changed to two years.

Ghana, for the AFRICAN GROUP, stressed that DDT reporting schedules should take empirical data into consideration and informed the plenary about an ongoing African regional project on finding effective alternatives that all African countries on the DDT Register could participate in. SOUTH AFRICA, UGANDA, ZIMBABWE, and NAMIBIA noted that, while in some cases alternatives are being used, their effectiveness is inconsistent and hence it is not possible to fully replace DDT. INDIA stated that DDT is still needed to save lives, while KENYA noted that cheap, safe, and environmentally friendly alternatives to DDT exist, such as nets, malaria vaccines, and information systems.

CANADA supported the recommendation of the DDT expert group and proposed to add that DDT phase-out plans are “subject to availability of resources.”

IRAN noted that in some instances resources were not provided and suggested this be reflected in the decision language.

PERU and MEXICO stated support for DDT phase-out but stressed the need for alternatives, while INDONESIA proposed that DDT should be fully eliminated in the health sector.

NORWAY pointed out that DDT levels in the Arctic have declined since listing under SC.

Based on the proposal from the EU and comments received, SC COP President Kalnins asked the Secretariat to prepare a revised draft decision which will be reviewed in plenary at a later stage.

PCBs: The Secretariat introduced the documents (POPS/COP.10/6, INF/12/Rev.1, 13/Rev.1, INF/14).

The EU presented CRP.8, stressing their dedication to support developing countries in meeting the 2025 and 2028 deadlines by providing knowledge and best practices.

MALI, BENIN, BURKINA FASO, the GAMBIA, the DEMOCRATIC REPUBLIC OF THE CONGO, the REPUBLIC OF CONGO, PAKISTAN, SIERRA LEONE, and KENYA, reported that, despite their efforts to identify and dispose of PCB stockpiles, additional funding and technical support is required to meet the deadlines.

SERBIA backed all proposed action on PCBs, including from the EU, and reported stockpiles eliminated with GEF assistance using technology recommended under the best available technology (BAT) guidelines.

CHINA reported significant progress in eliminating PCBs and taking offline all PCB-contaminated equipment, meeting the 2025 deadline ahead of schedule.

INDONESIA and the MALDIVES reported ongoing work to meet the PCB elimination deadlines.

MOROCCO noted it is considering disposal using cement factories and requested support from the regional centre.

The US proposed clarifying the responsible entity for developing the guidance and roadmap suggested in the CRP.

IPEN lamented slow progress in disposing of PCB stockpiles and noted that incineration is currently used which itself is a source of unintentional POPs releases. Underlying the need to use non-combustion technologies, he urged the Secretariat and GEF to consider deploying support for developing such technologies in developing countries for local treatment.

SC COP President Kalnins requested the Secretariat to prepare a draft decision based on POPS/COP.10/6 and CRP.8 taking into consideration plenary comments.

Brominated diphenyl ethers (BDEs): The Secretariat introduced the documents (POPS/COP.10/7 and INF/26).

The EU, opposed by IRAN, proposed to strengthen the language by replacing “encourages” with “requests” or “urges” in an action to parties currently registered for specific exemptions for the use of BDEs to review their continued need for such registration and to make the resulting information available to the Secretariat. The US emphasized the continuing need for BDE exemptions.

SC COP President Kalnins suggested, and parties agreed, to park this issue to give time for Iran to consult on the outstanding wording.

Compliance: The Secretariat introduced procedures and mechanisms (POPS/COP.10/19). SC COP President Kalnins reminded parties of the existence of two versions of the draft text on compliance mechanisms from COP6 and COP7 and encouraged parties to make progress at this COP.

The AFRICAN GROUP, SERBIA, the DOMINICAN REPUBLIC, SAUDI ARABIA, KAZAKHSTAN, VENEZUELA, PALESTINE, and IRAN stressed that financial resources, technical assistance, and technology transfer are necessary for countries to comply with the Convention.

CHINA called for a fair and effective compliance mechanism that takes into account the capacities and needs of different countries, while INDIA and COLOMBIA noted it should not be punitive and include supportive measures to help countries implement the SC.

THAILAND said the decision should be adopted by consensus.

INDONESIA asked for the information provided by the compliance committee to be reviewed by parties.

SWITZERLAND, the EU, and the US indicated their preference for the COP6 text, with the latter noting compliance with international obligations should be the same for all countries.

IPEN said this COP is an opportunity to identify areas of difficulties in the implementation of the SC and encouraged parties to adopt an effective compliance mechanism.

SC COP President Kalnins suggested consultations. IRAN insisted that compliance consultations should only be under the guidance of SC COP President Kalnins who responded that she would lead the consultations with the support of Glenn Wigley (New Zealand) and Trecia David (Guyana). Parties agreed to start consultations.

Contact Groups

BC Technical Matters: The contact group, co-chaired by Patrick McKnell (UK) and Magda Gosk (Poland), addressed the draft technical guidelines for plastic wastes, mercury wastes, and incineration on land (D10) in the morning, then turned to engineered landfill (D5) and POPs wastes in the evening.

On plastic wastes, many delegates referred to the negotiations for a new plastic waste treaty, which they said added urgency to

complete the technical guidelines to inform those negotiations. An observer suggested provisionally adopting the technical guidelines and continuing work on additives and how to reflect the climate crisis, among other issues. A country suggested including rubber tyres because of microplastic leakage, which others opposed. Observers called for further references related to chemical recycling methods.

On mercury wastes, the contact group agreed to use a new draft that incorporates China’s comments as a basis for discussion. Delegates made textual amendments aimed to clarify which wastes are considered hazardous under the BC, while recognizing that the draft technical guidelines include wastes listed under the Minamata Convention, which has not yet determined thresholds for mercury wastes.

BC Legal Matters: After yesterday’s general agreement to make all non-hazardous e-waste subject to the prior informed consent procedure, participants focused on clarifying the entry of A1180 in Annex VIII in the contact group, co-chaired by Mari-Liis Ummik (Estonia) and Florisvindo Furtado (Cabo Verde). Debates included how to reflect the non-exhaustive nature of the list, and that some components might be listed in both Annex VIII and II (non-hazardous wastes). Many invoked the need for clarity, with some finding duplication less clear, while others noted that for products such as cables and batteries, countries might look to the e-waste entry, particularly for mixed e-wastes. An observer noted the evolving technologies and supported a broader approach to the listing. Discussions continued into the evening.

Technical Assistance and Financial Resources: The contact group, co-chaired by David Kapindula (Zambia) and Premysl Stepanek (the Czech Republic), met in the afternoon and the evening to work on three decisions related to technical support and one decision on financial matters. After listening to brief presentations of the needs assessment and the GEF reports, delegates completed several reads of draft decisions, planning to continue in the morning.

In the Corridors

“When is a component of a component still a component?” was the question posed to negotiators considering e-waste. It reflects the complexity of the task – how to list these multi-component wastes in the context of the BC mechanisms. A circuit board is e-waste that contains plastic, metals, and other materials, some are hazardous and others are not, while some are listed elsewhere in the BC. The Convention’s creators perhaps did not foresee global trade in such wastes when they designed the annexes. It’s a near-surgical task, creating listings broad enough to address the fast-growing and evolving nature of e-waste, while providing clarity on what is included, without creating gaps or loopholes.

Additional complexities, of a less technical sort, emerged in plenary. Many countries linked the provision of means of implementation with the SC compliance mechanism. Since the SC is a living treaty, that adds new chemicals to its control mechanisms, the implementation obligations of developing countries likewise routinely increase. Without financial and technical support, it is difficult to fulfill these obligations, although another delegate wished “we’d just look at the BC mechanism already” as a model, citing its facilitative nature.