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International environmental policy and governance issues

Information on the work carried out within the framework of the Basel, Rotterdam and Stockholm conventions as it relates to the sixth session of the United Nations Environment Assembly

Note by the secretariat

The annex to the present note sets out information on the mandates 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, and on the activities conducted within the framework of the conventions as they relate to items on the agenda of the sixth session of the United Nations Environment Assembly of the United Nations Environment Programme. The information has been submitted by the secretariat of the Basel, Rotterdam and Stockholm conventions. The annex is presented without formal editing.

* UNEP/EA.6/1.

Annex*

Information on the work undertaken within the framework of the Basel, Rotterdam and Stockholm conventions as it relates to the sixth session of the United Nations Environment Assembly

I. Introduction

1. In the first section, the present document provides an overview of the main outcomes of the 2023 meetings of the conferences of the Parties to 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 which were held back to back from 1 to 12 May 2023, in Geneva, Switzerland.
2. In subsequent sections, the document outlines developments under the conventions of relevance to the implementation of:
 - (a) Resolution 5/7 on the sound management of chemicals and waste;
 - (b) Resolution 5/11 on enhancing circular economy as a contribution to achieving sustainable consumption and production;
 - (c) Resolution 5/12 on environmental aspects of minerals and metals management;
 - (d) Resolution 5/14 on an international legally binding instrument on plastic pollution.

II. Key highlights of the outcomes of the 2023 meetings of the conferences of the Parties

3. The sixteenth meeting of the Conference of the Parties to the Basel Convention, the eleventh meeting of the Conference of the Parties to the Rotterdam Convention and the eleventh meeting of the Conference of the Parties to the Stockholm Convention were held back to back from 1 to 12 May 2023, in Geneva, Switzerland.
4. The conferences of the Parties adopted a total of 54 decisions to strengthen and expand efforts to reduce hazardous wastes, eliminate persistent organic pollutants (POPs), and control trade and illegal trafficking of toxic chemicals and wastes.
5. At its sixteenth meeting, the Conference of the Parties to the Basel Convention, among other things:
 - (a) Adopted the technical guidelines on the environmentally sound management (ESM) of plastic wastes (Decision BC-16/4);
 - (b) Adopted two technical guidelines on ESM of POPs wastes (general and POP PFASs) (Decision BC-16/4);
 - (c) Adopted on an interim basis the revised technical guidelines on transboundary movements of electrical and electronic waste and used electrical and electronic equipment, in particular regarding the distinction between waste and non-waste under the Basel Convention (Decision BC-16/5);
 - (d) Decided to continue the updating of the technical guidelines on ESM of waste lead-acid batteries and the development of technical guidelines on ESM of other waste batteries (BC-16/6);
 - (e) Decided to continue the development of technical guidelines on ESM of used and waste pneumatic tyres (BC-16/7);
 - (f) Established a small intersessional working group to identify the challenges in the implementation of the Prior Informed Consent (PIC) procedure as well as best practices, possible approaches, initiatives and views to improve the functioning of the procedure, and prepare recommendations (BC-16/2);

* The annex has not been formally edited.

(g) Decided to continue the work by a small intersessional working group to prepare recommendations on electronic approaches to the notification and movement documents, while encouraging pilot projects (BC-16/10);

(h) Decided to develop a new strategic framework for the Convention (BC-16/1);

(i) Adopted the programme of work of the Implementation and Compliance Committee for 2024-2025 (Decision BC-16/14);

(j) Reviewed the progress made by the four partnerships currently established under the Convention, namely the Plastic Waste Partnership, the Household Waste Partnership, the Partnership for Action on Challenges Relating to E-waste (PACE II) and Environmental Network for Optimizing Regulatory Compliance on Illegal Traffic (ENFORCE).

6. At its eleventh meeting, the Conference of the Parties to the Rotterdam Convention, among other things:

(a) Amended Annex III to the Convention to list the pesticide terbufos therein as recommended for listing by the Chemical Review Committee, thus subjecting the chemical to the Convention's PIC procedure. The listing entered into force on 22 October 2023. Parties to the Rotterdam Convention will be required to transmit their response regarding the future import of this pesticide by 21 July 2024 (Decision RC-11/3);

(b) Adopted the programme of work of the Compliance Committee for 2024-2025 (Decision RC-11/5);

(c) Agreed on intersessional work to enhance the effectiveness of the Rotterdam Convention by addressing impacts regarding the listing of chemicals in Annex III and its implementation (Decision RC-11/4).

7. At its eleventh meeting, the Conference of the Parties to the Stockholm Convention, among other things:

(a) Adopted a compliance mechanism, marking a historical achievement after two decades of negotiations (Decision SC-11/19);

(b) Amended Annex A to list three new chemicals therein, namely the pesticide methoxychlor and the industrial chemicals Dechlorane Plus and UV-328, for eventual phase-out. The two industrial chemicals are heavily used as plastic additives, such as for motor vehicles, industrial machines and in medical devices (SC-11/9, SC-11/10, SC-11/11);

(c) Completed the second effectiveness evaluation of the Convention, concluding that it provided an effective and dynamic framework for regulating POPs throughout their life cycle, and that progress occurred since the first evaluation in 2017 (Decision SC-11/17);

(d) Welcomed the third global monitoring report, highlighting that regulations targeting POPs have succeeded in reducing levels of POPs in humans and the environment. For the initial 12 POPs, concentrations measured in air and in human populations have declined and continue to decline or remain at low levels due to restrictions on POPs; and for the newly listed POPs, concentrations start showing decreasing levels (Decision SC-11/18);

(e) Adopted a report on progress towards the elimination of polychlorinated biphenyls (PCB) and urged Parties to meet their obligations towards the 2025 and 2028 deadlines under the Convention, while recognizing the specific needs and challenges of developing countries (Decision SC-11/3);

(f) Requested the Secretariat to continue to assist the Persistent Organic Pollutants Review Committee in collecting information on POPs in products as necessary for its review of chemicals and to provide Parties with guidance on labelling for the chemicals listed in Annexes A and B and to collaborate, as appropriate, with relevant international efforts such as the Chemicals in Products programme of UNEP (Decision SC-11/8).

8. On joint issues to the three conventions, the conferences of the Parties, among other things:

(a) Called for enhanced cooperation to address the triple planetary crisis with a large number of international bodies and processes, including with UNEP (e.g. intergovernmental negotiating committee to develop an international legally binding instrument on plastic pollution, including in the marine environment, ad hoc open-ended working group on a science-policy panel to contribute further to the sound management of chemicals and waste and to prevent pollution, 10-Year Framework of Programmes on Sustainable Consumption and Production Patterns, the Strategic

Approach to International Chemicals Management (SAICM), the Special Programme to support institutional strengthening at the national level for implementation of the Basel Convention, the Rotterdam Convention and the Stockholm Convention, the Minamata Convention on Mercury and the SAICM, and the United Nations Environment Assembly (UNEA)), the Minamata Convention on Mercury, the Convention on Biological Diversity, the Montreal Protocol on Substances that Deplete the Ozone Layer, the United Nations Framework Convention on Climate Change and the participating organizations of the Inter-Organization Programme for the Sound Management of Chemicals (IOMC). Those decisions will greatly assist the conventions in strengthening multilateral efforts and collaborative action and solutions to address the interlinked environmental crises (Decisions BC-16/17, RC-11/6 and SC-11/21);

(b) Encouraged UNEP, among others, according to its mandate and priorities, to continue to support the technical assistance plan for the implementation of the Basel, Rotterdam and Stockholm conventions for the period 2022–2025 (decisions BC-16/22, RC-11/9 and SC-11/13).

9. Over 1,400 participants from 177 Parties and 165 observer entities attended the meetings, which demonstrates that multilateralism works and significant gains were delivered by the last BRS COPs to address the interconnected nature of the multiple environmental crises we face.

10. All the decisions adopted by the conferences of the Parties during their 2023 meetings and referred to above are set out in the reports of the respective meetings, which are publicly available on the websites of the conventions:

(a) Report of the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal on the work of its sixteenth meeting (document UNEP/CHW.16/30 and UNEP/CHW.16/30/Corr.1), available [here](#);

(b) Report 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 on the work of its eleventh meeting (document UNEP/FAO/RC/COP.11/25), available at: [here](#);

(c) Report of the Conference of the Parties to the Stockholm Convention on Persistent Organic Pollutants on the work of its eleventh meeting (document UNEP/POPS/COP.11/31), available at: [here](#).

11. Relevant decisions adopted by the conferences of the Parties at their 2023 meetings were transmitted to the Executive Director of UNEP in a letter dated 14 June 2023.

III. Progress in the implementation of resolution 5/7 on the sound management of chemicals and waste

12. In resolution 5/7 on sound management of chemicals and waste, UNEA, among other things:

(a) Expressed concern that increasing levels of illegal transboundary movements of hazardous wastes and other wastes, as reported by developing countries, had a disproportionately negative impact, and invited the Conference of the Parties to the Basel Convention to consider the matter further;

(b) Invited Governments and all stakeholders involved in the “Beyond 2020” process to put in place an ambitious, improved enabling framework to address the sound management of chemicals and waste beyond 2020;

(c) Requested the Executive Director to seek views from Member States and other stakeholders on priorities for further work, building on existing measures and initiatives, and on potential further international action on the issues discussed in the *Assessment Report on Issues of Concern*, and to prepare a summary analysis;

(d) Requested the Executive Director to work closely with the other members of the Inter-Organization Programme for the Sound Management of Chemicals and other relevant United Nations entities and instruments, and with relevant multilateral environmental agreements (MEAs), to foster effective cooperation and collaboration in promoting the sound management of chemicals and waste;

(e) Requested the Executive Director subject to the availability of resources and in cooperation with WHO to present a full range of options to address asbestos contaminants in products and the environment.

A. Illegal transboundary movements of hazardous wastes and other waste

13. The Conference of the Parties to the Basel Convention considered the invitation of UNEA with regard to illegal transboundary movements of hazardous wastes and other waste, at its fifteenth meeting, held in June 2022.

14. In its decision BC-15/25 on international cooperation and coordination with other organizations, the Conference of the Parties noted the invitation and drew attention to relevant decisions adopted at its past and current meetings which aimed at combating illegal transboundary movements of hazardous wastes and other wastes. Those were decisions BC-15/20 and BC-14/17 on national legislation, notifications, enforcement of the Convention and efforts to combat illegal traffic, BC-14/19 on the Basel Convention Partnership Programme, and BC-14/24 on synergies in preventing and combating illegal traffic and trade in hazardous chemicals and wastes.

15. The Conference of the Parties to the Basel Convention, by decisions BC-14/15, BC-15/17 and BC-16/14, mandated the Committee Administering the Mechanism for Promoting Implementation and Compliance with the Basel Convention to prepare reports aimed at scoping the extent of illegal traffic based on information reported by Parties under the Convention. Such reports draw on information provided in table 9 of the national reports transmitted by Parties.¹ The reports² and the findings therein³ were developed pursuant to the Committee's work programmes for the bienniums 2020–2021 and 2022–2023. A similar report is being developed by the Committee as part of its work programme for the biennium 2024–2025, for consideration by the Conference of the Parties at its seventeenth meeting, in 2025.

B. New global framework on chemicals – For a planet free of harm from chemicals and wastes

16. In line with relevant mandates, the Secretariat has continued to cooperate with the secretariat of SAICM, providing relevant input to SAICM and taking part in the intersessional process considering SAICM and the sound management of chemicals and waste beyond 2020, including by contributing to the intersessional process, participating in relevant meetings including the fifth session of the International Conference on Chemicals Management which took place from 25 to 29 September 2023 in Bonn, Germany, and during which the Global Framework on Chemicals – For a planet Free of Harm from Chemicals and Wastes, along with a set of resolutions to support its implementation and a high-level declaration were adopted.

17. In their 2023 decisions, on international cooperation and coordination with other organizations, the three conferences of the Parties requested the Secretariat to continue to cooperate with the secretariat of the new global framework on chemicals and to prepare a report, including possible recommendations, on how the Basel, Rotterdam and Stockholm conventions could contribute to the new framework. The COPs also requested the Secretariat to develop a proposal for the inclusion in the programmes of work for the biennium 2026–2027 of activities to support the implementation of the global framework, in line with the objectives of the conventions. The report and proposal are expected to be considered by the COPs at their 2025 meetings.

C. Issues of concern

18. In line with relevant mandates, the Secretariat has participated in the consultative process launched by UNEP on priorities for further work and potential further international action on issues of concern in response to resolution 4/8. It attended the global consultation meeting in July 2023 and made a written submission to the process.

19. As described in the *Assessment Report on Issues of Concern* and the *Summary Analysis of Stakeholders' Views on Priorities for Further Work and Potential Further International Action*⁴, the Basel, Rotterdam and Stockholm conventions provide some avenues for international actions to address several of the substances or groups of substances of concern outlined in the report, within their scopes and mandates.

¹ The reports aim at estimating: how many cases of illegal traffic there are; with respect to which wastes; in which regions; and how they were resolved; ascertaining whether table 9 would benefit from adjustments; identifying discrepancies in the information reported by Parties on cases that could constitute illegal traffic and making recommendations based on the outcome of the review; and ascertaining whether the form for reporting confirmed cases of illegal traffic would benefit from adjustments.

² UNEP/CHW/CC.14/4/Add.1 and UNEP/CHW/CC.15/4/Add.1.

³ For the Committee's findings during its fourteenth meeting, see annex I to document UNEP/CHW.15/INF/14. For the Committee's findings during its fifteenth meeting, see annex I to document UNEP/CHW.16/INF/21.

⁴ <https://www.unep.org/explore-topics/chemicals-waste/what-we-do/emerging-issues/issues-concern>

20. The Basel, Rotterdam and Stockholm conventions partially cover and guide international actions to address a number of the issues of global concern namely:

- (a) Per- and polyfluoroalkyl substances (PFASs);
- (b) Highly hazardous pesticides;
- (c) Life-cycle approach to electrical and electronic products;
- (d) Endocrine-disrupting chemicals;
- (e) Chemicals in products;
- (f) Arsenic, cadmium and environmentally persistent pharmaceutical pollutants;
- (g) Lead;
- (h) Organotins;
- (i) Waste containing nanomaterials.

21. It seems important to take those existing efforts into account when identifying further work and potential further international action on issues of concern with a view to consolidating global actions, enhancing coherence and avoiding duplication of work.

22. Actions on those issues could be, among other things, to reemphasize the importance of existing international instruments to address relevant issues of global concern, to welcome efforts to strengthen the implementation of those existing international instruments or, as those instruments are evolving over time under the decisions of their governing bodies, to invite those bodies to consider further efforts under them, as appropriate.

D. Programmatic cooperation with UNEP and the Inter-Organization- Programme for the Sound Management of Chemicals

23. At their 2023 meetings, the conferences of the Parties adopted 24 decisions inviting UNEP to cooperate with the Basel, Rotterdam and Stockholm conventions and to engage in specific activities in support of the objectives of the conventions, for instance on technical assistance or capacity-building, or on specific programmatic areas (e.g. on DDT, PCB, national implementation plans, global monitoring plan).

24. Notably, in decisions BC-16/22, RC-11/9 and SC-11/21, on international cooperation and coordination with other organizations, the conferences of the Parties to the conventions reiterated their request to the Executive Secretary to cooperate with the Executive Director of UNEP in fostering the implementation of UNEA resolutions that were relevant to the Basel, Rotterdam and Stockholm conventions; welcomed programmatic cooperation between the Secretariat and UNEP on areas of mutual interest and requested the Secretariat to continue such programmatic cooperation efforts.

25. Within these mandates, the Secretariat has continued to engage with UNEP at the programmatic level with a view to contributing to the implementation of certain aspects of the UNEP Medium-Term Strategy for 2022–2025, the UNEP Programme of Work for 2022–2023 and UNEA resolutions of relevance to the conventions. UNEP has continued to undertake activities to provide support to Parties for the implementation of the conventions as well as in response to specific requests from the conferences of the Parties to the conventions.

26. Cooperation has taken place through the participation of UNEP and the Secretariat as observers in meetings of the respective governing bodies, on a bilateral basis and through the use of coordination mechanisms such as the UNEP senior management team; the joint task force on programmatic cooperation between the secretariats of the Basel, Rotterdam and Stockholm conventions and of the Minamata Convention and the Chemicals and Health Branch of UNEP; and the MEA focal points network between the UNEP Law Division and MEAs administered by UNEP.

27. In their decisions BC-16/22, RC-11/9 and SC-11/21, on international cooperation and coordination with other organizations, the conferences of the Parties to the conventions accepted the invitation by the heads of the participating organizations of the IOMC for the Basel, Rotterdam and Stockholm conventions, through their respective secretariat, to become a participating organization of the Programme.

28. In accordance with this mandate, the BRS secretariat joined, as a participating organization of the IOMC, the 60th meeting of the IOMC Inter-Organization Coordinating Committee held on 21 and 22 November 2023 in Geneva.

E. Options for addressing asbestos contaminants in products and the environment

29. The Secretariat provided inputs to the document outlining options for addressing asbestos contaminants in products and the environment prepared by UNEP and WHO in collaboration with the International Labor Organization (ILO).⁵ Five varieties of asbestos are currently listed under the Rotterdam Convention (actinolite, anthophyllite, amosite, crocidolite and tremolite). The listing of chrysotile asbestos in the Convention has been considered by the governing body of the Convention since its 3rd meeting in 2006.

30. A briefing note on the work under the Basel, Rotterdam and Stockholm conventions has been submitted to UNEP portal under the draft resolution on the sound management of chemicals and waste.

IV. Progress in the implementation of resolution 5/11 on enhancing circular economy as a contribution to achieving sustainable consumption and production

31. In resolution 5/11 on enhancing circular economy as a contribution to achieving sustainable consumption and production, UNEA, among other things:

(a) Recognized that international exchanges, shared experiences, capacity development, finance and cooperation can help to implement circular economy approaches to achieve sustainable consumption and production, and welcomed efforts to advance circular economy approaches, noting in this context the establishment of regional and global initiatives, and recognized further the work undertaken under relevant international agreements, conventions, organizations and forums, including those related to the sound management of chemicals and waste;

(b) Requests the Executive Director, in collaboration with other United Nations entities, including the International Resource Panel, development partners and relevant international multi-stakeholder networks, including the 10-Year Framework of Programmes on Sustainable Consumption and Production Patterns, to facilitate collaboration among Member States and members of specialized agencies in research, capacity-building, knowledge management and the sharing of best practices for the promotion of innovative pathways for sustainable consumption and production, including the circular economy, and to facilitate a conversation on natural resources and materials in the context of the circular economy.

32. The Basel, Rotterdam and Stockholm conventions offer a variety of global mechanisms, guidance, tools and technical assistance that support Parties to implement the waste hierarchy and non-toxic material cycles, towards establishing a circular economy and more sustainable production and consumptions patterns.

A. Basel Convention

33. The Basel Convention provides measures to reduce the generation of hazardous wastes and other wastes,⁶ promote their environmentally sound management, and control their transboundary movements through the Convention's PIC procedure.

34. In today's integrated global economy, trade takes place at all stages of a broad range of value chains from raw materials, final consumer products to remanufactured goods, to secondary raw materials and wastes. The Basel Convention provides for the application of the PIC procedure which requires controlling and monitoring of transboundary movements of wastes by each Party in line with the Convention's obligations. Parties have the right to impose requirements additional to those of the Basel Convention at the national level. The Basel Convention is supportive of the sustainable trade of wastes in line with circular economy approaches while protecting countries from unwanted wastes that they cannot safely manage.

35. The 2019 plastic wastes amendments, adding plastic wastes that are difficult to recycle or that are hazardous to the scope of the Convention; and the 2022 e-waste amendments, making all types of e-waste, hazardous or not, covered by the Convention, will make the global trade in plastic wastes and e-wastes more transparent and better regulated and increase their environmentally sound management worldwide.

⁵ UNEP/EA.6/INF/14.

⁶ Other wastes are wastes requiring special consideration and currently encompass household waste, incinerator ash, plastic wastes and non-hazardous e-wastes.

36. Over the year, Parties to the Convention put a stronger emphasis on the application of the waste hierarchy and committed to actively promote and implement more efficient waste prevention and minimization strategies.
37. The following global policies and tools under the Basel Convention assist Parties in implementing waste prevention, minimization and recovery policies:
- (a) The Cartagena Declaration on the Prevention, Minimization and Recovery of Hazardous Wastes and Other Wastes,⁷ and the related road map for action;⁸
 - (b) Technical guidelines on the environmentally sound management of various wastes, which include waste-stream-specific information on waste prevention, minimization, and recovery;⁹
 - (c) The ESM Framework and other guidance documents on waste prevention and minimization;¹⁰
 - (d) Practical manuals on promoting the environmentally sound management of wastes.¹¹
38. The Conference of the Parties has a long-standing practice of establishing public-private partnerships to collectively address issues. There are currently four such Partnerships under the Convention that are relevant to promoting environmentally sound management of wastes and preventing and minimizing waste generation:⁴
- (a) Plastic Waste Partnership;¹²
 - (b) PACE II¹³
 - (c) ENFORCE;¹⁴
 - (d) Household Waste Partnership.¹⁵
39. The Conference of the Parties has launched a process to review, among others, Annex IV to the Convention which lists disposal operations, with a view to improving legal clarity. Some of the options under consideration aim at supporting circular economy approaches.
40. Furthermore, the Conference of the Parties has triggered two new tracks of work with the objective of improving the functioning of the PIC procedure. The first track focuses on identifying potential challenges in the implementation of the procedure as well as best practices, possible approaches, initiatives and views to improve the functioning of the procedure. The second will explore possible options for electronic approaches to the notification and movement documents.
41. In accordance with its mandates, the BRS Secretariat cooperates and collaborates with partners, including other UN entities, on the issue of promoting circularity. For instance, the Secretariat cooperates with relevant organizations, such as the 10-Year Framework of Programmes on Sustainable Consumption and Production Patterns and its One Planet Network, and attends relevant initiatives such as the World Circular Economy Forum.¹⁶

⁷ Adopted at the tenth meeting of the Conference of the Parties in 2011.

⁸ Adopted by decision BC-12/2.

⁹ Available at

<http://www.basel.int/Implementation/TechnicalMatters/DevelopmentofTechnicalGuidelines/TechnicalGuidelines/tabid/8025/Default.aspx>

¹⁰ Available at

<http://www.basel.int/Implementation/CountryLedInitiative/EnvironmentallySoundManagement/ESMToolkit/Guidanceonwasteprevention/tabid/5844/Default.aspx>.

¹¹ Available at

<http://www.basel.int/Implementation/CountryLedInitiative/EnvironmentallySoundManagement/ESMToolkit/Practicalmanuals/tabid/5847/Default.aspx>.

¹² <http://www.basel.int/Implementation/Plasticwaste/PlasticWastePartnership/tabid/8096/Default.aspx>

¹³

<http://www.basel.int/Implementation/TechnicalAssistance/Partnerships/FollowuptoPACE/Overview/tabid/8089/Default.aspx>

¹⁴

<https://www.basel.int/Implementation/TechnicalAssistance/Partnerships/ENFORCE/Overview/tabid/4526/Default.aspx>

¹⁵ <http://www.basel.int/Implementation/HouseholdWastePartnership/Overview/tabid/5082/Default.aspx>

¹⁶ <https://www.sitra.fi/en/projects/wcef/>

B. Rotterdam Convention

42. The Rotterdam Convention aims to promote shared responsibility and cooperative efforts in the international trade of certain hazardous pesticides and industrial chemicals in order to protect human health and the environment from potential harm and to contribute to their environmentally sound use, by facilitating information exchange about their characteristics and by providing a mechanism for informed decision making regarding their import and export.

43. The following mechanisms under the Rotterdam Convention assist Parties in the trade and use segments of the life-cycle approach to the management of hazardous pesticides and chemicals for improved sustainable consumption and production:

(a) The Prior Informed Consent procedure, a mechanism for formally obtaining and disseminating the decisions of Parties as to whether they wish to receive future imports of those chemicals listed in Annex III of the Convention;

(b) The Final Regulatory Action Evaluation Toolkit (FRAE Toolkit), aimed at assisting and enhancing the efforts by national authorities to take scientifically sound final regulatory decisions on hazardous chemicals;¹⁷

(c) The PIC Circular, as an early warning system of national bans or severe restriction of hazardous pesticides and industrial chemicals, including the provision of information on health and environmental risks.¹⁸

C. Stockholm Convention

44. The Stockholm Convention aims to protect human health and the environment from POPs. An essential part of the work under the Convention consists in supporting actions targeting the reduction or elimination of releases of POPs through the application of best available techniques and best environmental practices and the transition to POP-free alternatives. By eliminating the use of hazardous chemicals in products and articles, the Convention increases the recyclability of products and then reduces the demand for extraction of new raw materials. The work of the Stockholm Convention contributes to the design of toxic free products. In collaboration with the Basel Convention, the Stockholm Convention also promotes sustainable materials cycles by restricting the recycling of POPs.

45. The following activities under the Stockholm Convention assist Parties in substituting listed POPs and minimizing or eliminating releases of POPs:

(a) Guidance and additional work on alternatives and substitution to listed POPs developed by the POPs Review Committee (POPRC) and the Secretariat;^{19,20}

(b) Guidance on Best Available Techniques (BAT) and Best Environmental Practices (BEP) to minimize the releases of POPs, developed by the experts on BAT and BEP;²¹

(c) The work of the POPs Review Committee which was mandated by COP-11, in decision SC-11/12, to consider options for identifying POPs in stockpiles, products and articles in use and in wastes and issues related to the production, import and export of products and articles containing POPs for consideration by the COP at its next meeting in 2025.

46. A briefing note on the work under the Basel, Rotterdam and Stockholm conventions has been submitted to the UNEP portal under the draft resolution on Stepping up efforts for accelerating a circular economy transition domestically, regionally and globally.

V. Resolution 5/12 on environmental aspects of minerals and metals management

47. In resolution 5/12 on environmental aspects of minerals and metals management, UNEA, among other things,:

¹⁷ Available at <http://www.pic.int/Implementation/FinalRegulatoryActions/FRAEvaluationToolkit/Introduction/tabid/4976/language/en-US/Default.aspx>.

¹⁸ Available at <http://www.pic.int/Implementation/PICCircular/tabid/1168/language/en-US/Default.aspx>.

¹⁹ <http://chm.pops.int/Implementation/Alternatives/Guidance/tabid/5833/Default.aspx>;

²⁰ <http://chm.pops.int/Implementation/NationalImplementationPlans/Guidance/tabid/7730/Default.aspx>:
<http://chm.pops.int/Convention/POPsReviewCommittee/POPRCMeetings/POPRC4/Intersessionalworkinggroups/tabid/487/Default.aspx>.

²¹ See information available at:

<http://chm.pops.int/Implementation/BATandBEP/Guidance/Overview/tabid/5121/Default.aspx>.

(a) Requested the Executive Director to convene transparent and inclusive intergovernmental regional consultations, including with relevant international organizations, with regional and multilateral environmental agreements, and with relevant stakeholders acting as observers, to feed into a global intergovernmental meeting, with the aim of developing non-prescriptive proposals to enhance the environmental sustainability of minerals and metals along their full life cycle;

(b) Also requested the Executive Director, subject to the availability of resources, with the engagement of the secretariats of relevant multilateral environmental agreements, [...], to compile a report on knowledge gaps in relation to the environmental aspects of tailings management.

48. The Secretariat of the Basel, Rotterdam and Stockholm Conventions participated in the global intergovernmental meeting called for in the resolution which was held on 7 and 8 September 2023 in Geneva, during which the various non-prescriptive proposals were discussed. The Secretariat made a submission to the meeting by highlighting the relevance of the Basel Convention to the life cycle of metals and minerals. In addition, the Secretariat submitted information in support of the preparation of the report on knowledge gaps in relation to the environmental aspects of tailing management, through the expert technical reviews.

49. As highlighted in the Co-Chairs' Summary Report of the Global Intergovernmental Meeting, the work of the Basel Convention provides relevant measures to Parties to enhance the life cycle of metals and minerals.

50. Waste deriving from mining activities that are hazardous (i.e. exhibiting an Annex III characteristic) are covered by the Basel Convention, if they belong to any category contained in Annex I, unless they do not possess any of the characteristics contained in Annex III. Examples of Annex I waste streams and constituents that may be relevant for wastes from mining operations are listed below:

- Y8 Waste mineral oils unfit for their originally intended use
- Y9 Waste oils/water, hydrocarbons/water mixtures, emulsions
- Y11 Waste tarry residues arising from refining, distillation and any pyrolytic treatment
- Y19 Metal carbonyls
- Y20 Beryllium; beryllium compounds
- Y21 Hexavalent chromium compounds
- Y22 Copper compounds
- Y23 Zinc compounds
- Y24 Arsenic; arsenic compounds
- Y25 Selenium; selenium compounds
- Y26 Cadmium; cadmium compounds
- Y27 Antimony; antimony compounds
- Y28 Tellurium; tellurium compounds
- Y29 Mercury; mercury compounds
- Y30 Thallium; thallium compounds
- Y31 Lead; lead compounds
- Y32 Inorganic fluorine compounds excluding calcium fluoride
- Y33 Inorganic cyanides
- Y34 Acidic solutions or acids in solid form
- Y35 Basic solutions or bases in solid form

51. Annex VIII (hazardous wastes) and Annex IX (non-hazardous wastes) to the Convention, which were added to the Convention in order to provide further elaboration as to the wastes regulated by the Convention as listed in Annex I

52. In its Annex VIII, the Convention covers numerous metal and metal-bearing wastes that may derive from mining activities, namely:

A1 Metal and metal-bearing wastes

- A1010 Metal wastes and waste consisting of alloys of any of the following:

- Antimony
- Arsenic
- Beryllium
- Cadmium
- Lead
- Mercury
- Selenium

- Tellurium
 - Thallium
- but excluding such wastes specifically listed on list B

- A1020 Waste having as constituents or contaminants, excluding metal waste in massive form, any of the following:

- Antimony; antimony compounds
- Beryllium; beryllium compounds
- Cadmium; cadmium compounds
- Lead; lead compounds
- Selenium; selenium compounds
- Tellurium; tellurium compounds

- A1030 Wastes having as constituents or contaminants any of the following:

- Arsenic; arsenic compounds
- Mercury; mercury compounds
- Thallium; thallium compounds

- A1040 Wastes having as constituents any of the following:

- Metal carbonyls
- Hexavalent chromium compounds

53. In its Annex IX, the Convention excludes the following wastes from its scope (i.e. not being wastes covered by Article 1, paragraph 1(a) of the Convention), unless they contain Annex I constituents to an extent causing them to become hazardous (i.e. exhibiting an Annex III characteristic):

B2010 Wastes from mining operations in non-dispersible form:

- Natural graphite waste
- Slate waste, whether or not roughly trimmed or merely cut, by sawing or otherwise
- Mica waste
- Leucite, nepheline and nepheline syenite waste
- Feldspar waste
- Fluorspar waste
- Silica wastes in solid form excluding those used in foundry operation

54. In the context of a full life cycle of minerals and metals, the waste hierarchy endorsed under the Basel Convention also plays a critical role in promoting the reuse, repair, recycling and recovery of end-of-life equipment containing metals and minerals. Such circular economy approaches provide secondary materials and avoid new resource extraction. In this context, the Basel Convention applies to many waste streams containing metals and minerals, including waste electronic and electronic equipment, waste batteries, e.g. waste batteries containing lead, lithium, nickel, zinc.

55. To support Parties with the implementation of the main provisions of the Basel Convention, the Basel Convention has developed a range of guidance documents and factsheets including on waste prevention and minimization, and on efficient strategies for achieving recycling and recovery of hazardous and other wastes.²²

56. The Conference of the Parties also has adopted several technical guidelines on the environmentally sound management of wastes.²³ The technical guidelines provide practical guidance to Parties on how to address the management of those wastes, which may then establish effective and sustainable management systems.

57. The Conference of the Parties adopted the following technical guidelines that are relevant to wastes from mining and waste streams containing metals and minerals:

(a) Technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with mercury or mercury compounds (Basel Convention, 2022);

²² See the "ESM Toolkit" available at:

<https://www.basel.int/Implementation/CountryLedInitiative/EnvironmentallySoundManagement/ESMToolkit/Overview/tabid/5839/Default.aspx>

²³

<https://www.basel.int/Implementation/TechnicalMatters/DevelopmentofTechnicalGuidelines/TechnicalGuidelines/tabid/8025/Default.aspx>

- (b) Technical guidelines on the environmentally sound disposal of hazardous wastes and other wastes in specially engineered landfill (D5) (Basel Convention, 2022);
- (c) Technical guidelines on the environmentally sound incineration of hazardous wastes and other wastes as covered by disposal operations D10 and R1 (Basel Convention, 2022);
- (d) Technical guidelines on transboundary movements of electrical and electronic waste and used electrical and electronic equipment, in particular regarding the distinction between waste and non-waste under the Basel Convention (Basel Convention, 2023);
- (e) Technical guidelines on the environmentally sound recycling/reclamation of metals and metal compounds (R4) (Basel Convention, October 2004).

58. More specifically in relation to waste streams of equipment containing metals and minerals, as mandated by decision BC-16/6, there is ongoing intersessional work on the updating of the technical guidelines on the environmentally sound management of used-lead acid batteries and on developing new technical guidelines on other batteries (e.g. lithium batteries).

59. In addition, several partnerships are or were established under the Convention to address those wastes streams and their sound management. For instance, there is the current Partnership PACE II which developed guidance documents on the ESM of used and waste e-equipment.²⁴

60. A briefing note on the work under the Basel Convention has been submitted to the UNEP portal under the draft resolution on Environmental aspects of minerals and metals.

VI. **Resolution 5/14 on an international legally binding instrument on plastic pollution**

61. In resolution 5/14 on an international legally binding instrument on plastic pollution, UNEA, among other things:

- (a) Reaffirmed the importance of cooperation, coordination and complementarity among relevant regional and international conventions and instruments, with due respect for their respective mandates, to prevent plastic pollution and its related risks to human health and adverse effects on human well-being and the environment;
- (b) Requested the Executive Director to convene an intergovernmental negotiating committee, to begin its work during the second half of 2022, with the ambition of completing its work by the end of 2024;
- (c) Requested the Executive Director to facilitate the participation of, and close cooperation and coordination with, relevant regional and international instruments and initiatives and all relevant stakeholders in the context of the mandate of the intergovernmental negotiating committee.

62. As per paragraph 3 (k) of the resolution, the intergovernmental negotiating committee is to develop international legally binding instrument on plastic pollution, including in the marine environment, with provisions to promote cooperation and coordination with relevant regional and international conventions, instruments and organizations, while recognizing their respective mandates, avoiding duplication, and promoting complementarity of action.

63. Similar to previous adopted decisions calling for cooperation with the intergovernmental negotiating committee, the conferences of the Parties to the Basel, Rotterdam and Stockholm conventions took decisions BC-16/22, RC-11/9 and SC-11/21, in which they:

- (a) Welcomed the cooperation between the Secretariat and the intergovernmental negotiating committee secretariat;
- (b) Requested the Executive Secretary to cooperate and coordinate closely with the Executive Director of UNEP in the context of the mandate of the intergovernmental negotiating committee and to participate in its work on issues relevant to the three conventions, including in relation to POPs in plastic products.

64. With respect to its participation in the intergovernmental negotiating committee, the Secretariat undertook the following activities:

²⁴ PACE II concentrates on TV screens, audio, video equipment, refrigerators, cooling and heating equipment. PACE developed guidance on ESM of used and waste computing equipment and MPPI developed guidance on used and waste mobile phones.

(a) Participated in the first, second and third sessions of the intergovernmental negotiating committee. At each of these sessions, the Secretariat made written submissions setting out information on obligations, control measures and voluntary approaches in the Basel, Rotterdam and Stockholm conventions of relevance to the work of the committee. In the third session, a report developed in cooperation with UNEP “Chemicals in Plastics”,²⁵ a report developed by the Secretariat “Global governance of plastics and associated chemicals”,²⁶ and two outputs of the Plastic Waste Partnership, “Compilation of information, best practices and lessons learned on measures taken by key stakeholders to prevent and reduce single use plastic waste and packaging waste”²⁷ and “Compilation of national and international specifications related to ‘almost free from contamination and other types of wastes’ and ‘almost exclusively’ for shipments of plastic waste destined for recycling”²⁸ were submitted to the committee.

(b) Organized the third meeting of the working group of the Plastic Waste Partnership back to back with the first session of the intergovernmental negotiating committee, in particular the multi-stakeholder forum, providing opportunities to exchange information and gather perspectives of stakeholders across the plastic life cycle;

(c) Supported the secretariat of the intergovernmental negotiating committee in document preparation and other aspects of the preparation as well servicing of the sessions.

65. The secretariat of the intergovernmental negotiating committee submitted information on its work at the 2023 meetings of the conferences of the Parties.²⁹

A. Basel Convention

66. As reported at the fifth session of UNEA, the plastic waste amendments to the Basel Convention adopted in 2019 entered into force on 1 January 2021.³⁰ The amendments clarified that plastic wastes that are difficult to recycle (listed in Annex II) or are hazardous (listed in Annex VIII) are subject to the Convention’s provisions on waste minimization, environmentally sound management, and the PIC procedure. The Basel Convention is currently the only legally-binding global instrument that specifically addresses plastic waste.

67. There are a number of guidance documents under the Basel Convention that support upstream efforts to promote sustainable production and consumption of plastics, including product design, and that guide Parties to ensure the environmentally sound waste management of plastic wastes, including through resource efficiency and circular economy approaches.¹

68. At its sixteenth meeting, in May 2023, the Conference of the Parties to the Basel Convention considered, among other things, the following items that are of relevance to the implementation of resolution 5/14:

(a) Adoption of the technical guidelines on environmentally sound management of plastic waste.² This sets guidance as to how plastic waste should be managed in an environmentally sound manner;

(b) Progress was made towards the updating of the technical guidelines on the environmentally sound management of used and waste pneumatic tyres, and further work is to take place in the intersessional period;

²⁵ <https://www.unep.org/resources/report/chemicals-plastics-technical-report>.

²⁶ Document UNEP/CHW.16/INF/58–UNEP/FAO/RC/COP.11/INF/41–UNEP/POPS/COP.11/INF/59, available at <https://www.basel.int/Portals/4/Basel%20Convention/docs/plastic%20waste/UNEP-FAO-CHW-RC-POPS-PUB-GlobalGovernancePlastics-2023.pdf>.

²⁷ <https://www.basel.int/Portals/4/Basel%20Convention/docs/plastic%20waste/UNEP-CHW-PWPWG-PUB-PlasticRecycling-Jan2023.English.pdf>.

²⁸ <https://www.basel.int/Portals/4/Basel%20Convention/docs/plastic%20waste/UNEP-CHW-PWPWG-PUB-SingleUse-Jan2023.English.pdf>.

²⁹ Document UNEP/CHW.16/INF/40–UNEP/FAO/RC/COP.11/INF/23–UNEP/POPS/COP.11/INF/45.

³⁰ <http://www.basel.int/tabid/8426/Default.aspx>.

(c) The activities, work products and reports³¹ of the Plastic Waste Partnership³² four project groups³³ and pilot project programme were welcomed;³⁴ approval of the workplan of the partnership for 2024-2025;

(d) Work of the expert working group on the review of Annexes³⁵ was extended with the mandate to review whether any additional constituents or characteristics in relation to plastic waste should be added to annex I or III, respectively, to the Convention;

(e) Cooperation with the World Customs Organization on amendments to the Harmonized Commodity Description and Coding System with respect to the plastic wastes covered by the Convention;

(f) Launch of new streams of work with the objective of improving the functioning of the PIC procedure:

- (i) The first track is the establishment of a small intersessional working group which is tasked to identify the challenges in the implementation of the procedure as well as best practices, possible approaches, initiatives and views to improve the functioning of the procedure, and prepare recommendations;
- (ii) The second track is the continuation of the work by a small intersessional working group to prepare recommendations on electronic approaches to the notification and movement documents.

B. Rotterdam Convention

69. The Rotterdam Convention promotes shared responsibility and cooperative efforts among Parties in the international trade of certain hazardous chemicals and pesticides, and contributes to the environmentally sound use of those hazardous chemicals and pesticides.

70. Of the 55 chemicals listed in Annex III to the Convention following the COP-11 in May 2023, 15 are associated with plastics and are subject to the prior informed consent procedure.

C. Stockholm Convention

71. The Stockholm Convention provides measures to reduce releases of POPs, including plastic additives, chemicals used in the production of plastics, and by-products, from intentional production and use, unintentional production, and stockpiles and wastes.

72. At its eleventh meeting, in May 2023, the Conference of the Parties to the Stockholm Convention listed three new chemicals, namely the pesticide methoxychlor and the industrial chemicals Dechlorane Plus and UV-328, in Annex A to the Convention, for eventual phase-out. The two industrial chemicals are heavily used as plastic additives, such as for motor vehicles, industrial machines and in medical devices, and the decision to eliminate their use represents an important contribution to the momentum to tackle plastic pollution.

73. There are currently 34 entries of chemicals or groups of chemicals listed under the Convention, of which 17 are associated with plastics.

D. Cross-cutting

74. On plastics, more than 50 countries are currently receiving technical assistance under the conventions to strengthen the country's capacity for addressing plastic pollution.³⁶

³¹ For instance, the report on best practices and lessons learned on measures taken by key stakeholders to prevent and reduce single-use plastic waste and packaging waste, and the compilation of national and international specifications related the Basel Convention plastic waste amendments.

³² <https://www.basel.int/Implementation/Plasticwaste/PlasticWastePartnership/tabid/8096/Default.aspx>

³³ The Plastic Waste Partnership's project groups focus, respectively on: plastic waste prevention and minimization; plastic waste collection, recycling and other recovery including financing and related markets; transboundary movements of plastic waste; outreach, education and awareness-raising.

³⁴ 23 pilot projects are currently being implemented. Further information at:

<https://www.basel.int/Implementation/Plasticwaste/PlasticWastePartnership/PWppilotprojects/tabid/8494/Default.aspx>

³⁵

<https://www.basel.int/Implementation/LegalMatters/LegalClarity/ReviewofAnnexes/AnnexesI,III,IVandrelatedaspects/tabid/6269/Default.aspx>

³⁶ <https://www.basel.int/tabid/8772>