COPs

BRIEFING ON THE 2023 MEETINGS OF THE CONFERENCES OF THE PARTIES TO THE BASEL, ROTTERDAM AND STOCKHOLM CONVENTIONS

7 March 2023 | 10:00 - 12:00 CET | IEH1, Room 3 & Online

tiny.cc/COPs23Briefing
BRIEFING ON THE 2023 MEETINGS OF THE CONFERENCES OF THE PARTIES TO THE BASEL, ROTTERDAM AND STOCKHOLM CONVENTIONS

Diana RIZZOLIO
Coordinator, Geneva Environment Network

7 March 2023 | 10:00 - 12:00 CET | IEH1, Room 3 & Online

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SPEAKERS

By order of intervention.

Rolph PAYET
Executive Secretary, Basel Rotterdam and Stockholm Convention

Marylene BEAU
Programme Officer, Basel, Rotterdam and Stockholm Conventions

David OGDEN
Chief, Governance Branch, BRS Conventions

Gundega TRUMKALNE
Chief, Funds Management, Administration and Human Resources Branch, Basel, Rotterdam and Stockholm Conventions

Kathleen CREAVALLE
Deputy Director, Corporate Services Division, United Nations Environment Programme

Michel TSCHIRREN
Waste and Chemicals Focal Point of the Global Affairs Section, Swiss Federal Office for the Environment
AGENDA

Welcome and Introductory Remarks
- Rolph PAYET | Executive Secretary, Basel Rotterdam and Stockholm Conventions

Presentations by the Secretariat
Update on Preparations for the 2023 Meetings of the COPs to the BRS Conventions
- Marylene BEAU | Programme Officer, Basel, Rotterdam and Stockholm Conventions

Overview of Key Items on the Provisional Agendas of the Meetings
- David OGDEN | Chief, Governance Branch, Basel, Rotterdam and Stockholm Conventions

Budget issues, Implementation of the MoUs between UNEP and the COPs to the BRS Conventions
- Gundega TRUMKALNE | Chief, Funds Management, Administration and Human Resources Branch, Basel, Rotterdam and Stockholm Conventions
- Kathleen CREAVALLE | Deputy Director, Corporate Services Division, UN Environment Programme

Perspectives of Switzerland
Perspectives of Switzerland on the Proposal to Amend Articles 7, 10, 11 and 22 of the Rotterdam Convention & to Add a New Annex VIII to the Convention
- Michel TSCHIRREN | Waste and Chemicals Focal Point, Federal Office for the Environment, Switzerland

Q&A

Closing Remarks
- Michel TSCHIRREN | Waste and Chemicals Focal Point, Federal Office for the Environment, Switzerland
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Briefing on the 2023 meetings of the conferences of the Parties to the Basel, Rotterdam and Stockholm conventions

7 March 2023, 10:00 a.m. CEST
Secretariat of the Basel, Rotterdam and Stockholm Conventions
Update on preparations for the 2023 meetings of the COPs
Meeting highlights

• BC COP-16, RC COP-11 and SC COP-11:
  • 1-12 May 2023, Geneva International Conference Centre (CICG), Geneva, Switzerland
  • 30 April 2023: preparatory meetings (regional groups, bureaux)

• Theme: “Accelerating action: Targets for the sound management of chemicals and wastes”

• Face-to-face meetings
• No high-level segment
• COP Presidents:
  • Reggie Hernaus, BC
  • Ana Berejiani, RC
  • Keima Gardiner, SC
• PCB Fair and side events
• Meetings website: http://www.brsmeas.org/2023COPs
Registration and credentials

- **Representatives of Parties**
  - Deadline for registration by and requests for financial assistance lapsed on 20 January 2023

- Admitted observers invited to register by 24 March 2023; Bodies or agencies not previously admitted as observers need to complete procedure for admission before registration by same deadline

- **On-site registration:**
  - 10 am to 5 pm on Sunday, 30 April 2023
  - 8 am to 5 pm on Monday, 1 May 2023
  - 9 am to 5 pm during other days

- **Credentials:**
  - Submission to the Secretariat if possible no later than 24 hours after the opening of the meetings (by 10 a.m. on Tuesday, 2 May 2023)
  - Advance submission of electronic copies of credentials by 7 April 2023; originals at the meeting venue
# Tentative schedule (week 1)

<table>
<thead>
<tr>
<th>Mon, 1 May</th>
<th>Tue, 2 May</th>
<th>Wed, 3 May</th>
<th>Thu, 4 May</th>
<th>Fri, 5 May</th>
<th>Sat, 6 May</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>10 AM - 1 PM</strong></td>
<td><strong>Joint</strong> Opening Adoption of the agendas Organizational matters POPs wastes</td>
<td><strong>Joint</strong> Joint Technical assistance Compliance PoW and budget MoUs</td>
<td><strong>SC</strong> Draft decisions Rules of procedure</td>
<td><strong>BC</strong> Technical guidelines (cont.) Strategic framework PIC procedure ESM guidelines ICC (cont.)</td>
<td>No formal meetings</td>
</tr>
<tr>
<td></td>
<td><strong>10 AM - 1 PM</strong></td>
<td><strong>Joint</strong> Adoption of the agendas Organizational matters POPs wastes</td>
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<td><strong>SC</strong> Draft decisions Rules of procedure</td>
<td><strong>BC</strong> Technical guidelines (cont.) Strategic framework PIC procedure ESM guidelines ICC (cont.)</td>
</tr>
<tr>
<td><strong>3 PM - 6 PM</strong></td>
<td><strong>BC</strong> Technical guidelines Further legal clarity</td>
<td><strong>SC</strong> SC Compliance (cont.) Effectiveness evaluation Exemptions PFOS DDT</td>
<td><strong>RC</strong> RC Enhancing the effectiveness</td>
<td><strong>SC</strong> SC SC report</td>
<td><strong>SC</strong> SC Draft decisions SC report</td>
</tr>
<tr>
<td></td>
<td><strong>3 PM - 6 PM</strong></td>
<td><strong>SC</strong> SC Compliance (cont.) Effectiveness evaluation Exemptions PFOS DDT</td>
<td><strong>Joint</strong> Joint Financial resources Cooperation with the Minamata Convention Cooperation with other organizations</td>
<td><strong>SC</strong> SC Draft decisions SC report</td>
<td><strong>SC</strong> SC SC report</td>
</tr>
</tbody>
</table>

- **SC**: Draft decisions, rules of procedure, other matters (cont.)
- **BC**: Technical guidelines (cont.), strategic framework, PIC procedure, ESM guidelines, ICC (cont.)
- **RC**: Enhancing the effectiveness
- **Joint**: Financial resources, cooperation with the Minamata Convention, cooperation with other organizations
- **Adoption of reports on credentials**
### Tentative schedule (week 2)

<table>
<thead>
<tr>
<th>Sun, 7 May</th>
<th>Mon, 8 May</th>
<th>Tue, 9 May</th>
<th>Wed, 10 May</th>
<th>Thu, 11 May</th>
<th>Fri, 12 May</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>10 AM – 1 PM</strong></td>
<td><strong>10 AM – 1 PM</strong></td>
<td><strong>10 AM – 1 PM</strong></td>
<td><strong>10 AM – 1 PM</strong></td>
<td><strong>10 AM – 1 PM</strong></td>
<td><strong>10 AM – 1 PM</strong></td>
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<tr>
<td>BC</td>
<td>National legislation</td>
<td>BC</td>
<td>Draft decisions</td>
<td>BC</td>
<td>Draft decisions</td>
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<tr>
<td></td>
<td>Amendment proposal by Russian Federation</td>
<td></td>
<td>OEWG</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>Partnerships</td>
<td></td>
<td>Other matters (cont.)</td>
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<tr>
<td><strong>3-6 PM</strong></td>
<td><strong>3-6 PM</strong></td>
<td><strong>3-6 PM</strong></td>
<td><strong>3-6 PM</strong></td>
<td><strong>3-6 PM</strong></td>
<td><strong>3-6 PM</strong></td>
</tr>
<tr>
<td>BC</td>
<td>Classification</td>
<td>RC</td>
<td>Listing of chemicals (cont.)</td>
<td>BC</td>
<td>Draft decisions</td>
</tr>
<tr>
<td></td>
<td>Reporting</td>
<td></td>
<td>Enhancing the effectiveness (cont.)</td>
<td></td>
<td>BC report</td>
</tr>
<tr>
<td></td>
<td>Electronic approaches</td>
<td></td>
<td>Status of implementation</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>Plastic waste</td>
<td></td>
<td>Rules of procedure</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>Amendments to annexes II, VIII and IX on e-waste</td>
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<td>Other matters (cont.)</td>
<td></td>
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<tr>
<td></td>
<td>Nanomaterials</td>
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</tr>
</tbody>
</table>

**Reports of contact groups**

- Joint
- CHM
- Gender
- Science to action

**Budgets**

- **BC budget**
- **RC budget**
- **SC budget**

**Closure**

- Report of joint sessions
- Report of joint sessions
- Report of joint sessions
Potential contact and other groups

**Joint:**
- Programmes of work and budgets
- Technical assistance/financial resources and mechanisms
- Joint issues

**BC:**
- Group on technical matters
- Group on strategic matters
- Group on compliance and legal matters

**SC:**
- Listing of chemicals
- Compliance

**RC:**
- Enhancing the effectiveness of the Convention
- Compliance
- Listing of chemicals

*Limited number of contact groups running in parallel*
## Election of officers

<table>
<thead>
<tr>
<th></th>
<th>COP Bureau</th>
<th>OEWG Bureau</th>
<th>ICC</th>
<th>ENFORCE</th>
<th>Copper Bureau</th>
<th>CC</th>
<th>CRC</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Basel Convention</strong></td>
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</tr>
<tr>
<td>Africa</td>
<td>2 officers</td>
<td>1 officer</td>
<td>2 members</td>
<td>2 members (1 Party, 1 BCRC)</td>
<td>1 officer</td>
<td>1 member</td>
<td>4 members</td>
</tr>
<tr>
<td>Asia-Pacific</td>
<td>2 officers</td>
<td>1 officer</td>
<td>2 members</td>
<td>n/a</td>
<td>1 officer</td>
<td>1 member</td>
<td>4 members</td>
</tr>
<tr>
<td>EE</td>
<td>2 officers</td>
<td>1 officer</td>
<td>2 members</td>
<td>2 members (1 Party, 1 BCRC)</td>
<td>1 officer</td>
<td>2 members</td>
<td>1 member</td>
</tr>
<tr>
<td>GRULAC</td>
<td>2 officers</td>
<td>1 officer</td>
<td>2 members</td>
<td>n/a</td>
<td>1 officer</td>
<td>2 members</td>
<td>2 members</td>
</tr>
<tr>
<td>WEOG</td>
<td>2 officers</td>
<td>1 officer</td>
<td>2 members</td>
<td>1 member (1 Party)</td>
<td>1 officer</td>
<td>2 members</td>
<td>3 members</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>COP Bureau</th>
<th>POPRC</th>
<th>DDT Expert Group</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Rotterdam Convention</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Africa</td>
<td>2 officers</td>
<td>4 members</td>
<td>2 Parties</td>
</tr>
<tr>
<td>Asia-Pacific</td>
<td>2 officers</td>
<td>4 members</td>
<td>2 Parties</td>
</tr>
<tr>
<td>EE</td>
<td>2 officers</td>
<td>1 member</td>
<td>2 Parties</td>
</tr>
<tr>
<td>GRULAC</td>
<td>2 officers</td>
<td>2 members</td>
<td>2 Parties</td>
</tr>
<tr>
<td>WEOG</td>
<td>2 officers</td>
<td>3 members</td>
<td>2 Parties</td>
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</tr>
</thead>
<tbody>
<tr>
<td><strong>Stockholm Convention</strong></td>
<td></td>
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</tr>
</tbody>
</table>

Election of officers: Rules and requirements

• Nomination of candidates invited by 1 March 2023 and selection of candidates facilitated by the regional election focal points

<table>
<thead>
<tr>
<th>Region</th>
<th>Candidate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Africa</td>
<td>Sheikh Ahmed Tunis (Sierra Leone)</td>
</tr>
<tr>
<td>Asia Pacific</td>
<td>Mohamed Aman (Bahrain)</td>
</tr>
<tr>
<td>Eastern Europe</td>
<td>Artak Khachatryan (Armenia)</td>
</tr>
<tr>
<td>GRULAC</td>
<td>Napoleon Garcia (El Salvador)</td>
</tr>
<tr>
<td>WEOG</td>
<td>Tuulia Toikka (Finland) – for EU</td>
</tr>
<tr>
<td></td>
<td>Glenn Wigley (New Zealand) – for non-EU</td>
</tr>
</tbody>
</table>

• According to the financial rules, no representative of any Party whose contributions are **in arrears for 2 or more years** shall be eligible to become:
  • A member of the BC COP Bureau or its subsidiary bodies
  • A member of the RC or SC COP Bureau or a member of its subsidiary bodies
  • Except for LDCs, SIDS and Parties respecting a schedule of payments
Guidelines for rules of conduct for meeting participants

These guidelines were prepared by the Secretariat to ensure an orderly running of COPs meetings and subsidiary body meetings:


# Regional preparatory meetings

<table>
<thead>
<tr>
<th>Region</th>
<th>Dates</th>
<th>Locations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Asia-Pacific</td>
<td>14-16 March 2023</td>
<td>Bangkok, Thailand</td>
</tr>
<tr>
<td>Africa</td>
<td>21-23 March 2023</td>
<td>Dakar, Senegal</td>
</tr>
<tr>
<td>Eastern Europe</td>
<td>28-30 March 2023</td>
<td>Zagreb, Croatia</td>
</tr>
<tr>
<td>GRULAC</td>
<td>28-30 March 2023</td>
<td>Panama City, Panama</td>
</tr>
</tbody>
</table>
Preparatory webinars

<table>
<thead>
<tr>
<th>Date and time (UTC+1)</th>
<th>Title</th>
<th>Language</th>
<th>Please register a few days in advance, utilizing any of the following links:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tuesday 18 April 2023 10:00-11:00</td>
<td>BRS COPs 2023 briefing</td>
<td>English</td>
<td><a href="https://unep-brs.webex.com/weblink/register/r54f4675562e121057a79b8b705179474">https://unep-brs.webex.com/weblink/register/r54f4675562e121057a79b8b705179474</a></td>
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<tr>
<td>Tuesday 18 April 2023 16:00-17:00</td>
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<td>Spanish</td>
<td><a href="https://unep-brs.webex.com/weblink/register/r0b3969ceee82f2c6f553f3bb89412635">https://unep-brs.webex.com/weblink/register/r0b3969ceee82f2c6f553f3bb89412635</a></td>
</tr>
<tr>
<td>Wednesday 19 April 2023 16:00-17:00</td>
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<td>English</td>
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</tr>
<tr>
<td>Thursday 20 April 2023 10:00-11:00</td>
<td></td>
<td>French</td>
<td><a href="https://unep-brs.webex.com/weblink/register/rccd2f3ee474198a5342781c359f126c2">https://unep-brs.webex.com/weblink/register/rccd2f3ee474198a5342781c359f126c2</a></td>
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David OGDEN
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7 March 2023 | 10:00 - 12:00 CET | IEH1, Room 3 & Online | tiny.cc/COPs23Briefing
Overview of key items on the provisional agendas of the meetings
Basel Convention COP-16 main issues

Strategic issues
• Strategic framework
• Enhancing the PIC procedure

Scientific and technical matters
• Technical guidelines:
  - Plastic wastes, POPs wastes, waste lead-acid batteries, other batteries and e-wastes
• E-notifications
• Further consideration of plastic waste
• Follow-up to e-waste amendments: Assessment of the need to update existing guidance

Basel Convention Partnership Programme
• Plastic Waste Partnership
• Partnership for Action on Challenges relating to E-waste
• ENFORCE
• Household waste partnership

Legal, governance and enforcement matters
• Implementation and Compliance Committee (specific submissions; general review, including national reporting, illegal traffic, national legislation, programme of work)
• Further legal clarity:
  • EU amendment proposals on Annex IV
  • Recommendations of the expert working group on annexes I and III
  • Proposal by the Russian Federation to amend paragraph 2 of Article 6 of the Convention
## Rotterdam Convention COP-11 main issues

### Compliance
- Work programme of the Committee

### Listing of chemicals in Annex III to the Convention
- 2 new chemicals: iprodione and terbufos,
- 5 old ones: acetochlor, carbosulfan, chrysotile asbestos, fenthion formulations and paraquat formulations

### Enhancing the effectiveness of the Rotterdam Convention
- Proposal by Switzerland, Australia, Burkina Faso, Ghana and Mali to amend Articles 7, 10, 11 and 22 of the Rotterdam Convention and to add a new Annex VIII
- Proposal by African countries to amend Article 16 of the Rotterdam Convention
Stockholm Convention COP-11 main issues

Reduce or eliminate release from intentional production and use
• DDT (evaluate the continued need)
• PCBs
  • Assessment of the progress towards elimination of PCB
  • Strategy to meet the 2025 and 2028 goals
• PFOS, its salts and PFOSF (POPRC recommendations)

Listing of chemicals in Annex A, B or C
• Methoxychlor
• Dechlorane Plus
• UV-328

Compliance
• For possible adoption based on the draft texts in the annex of document SC-11/21

National Implementation Plans (NIPs)
• Revised guidance on developing and updating NIPs; draft global approach to the review and updating of NIPs

Reporting
• Updated electronic reporting system
Joint issues

Technical assistance
• Review of regional centers

Financial resources
• Implementation of the MoU between the GEF Council and the Stockholm Convention COP
• Special Programme on institutional strengthening

International cooperation and coordination:
• With the Minamata Convention on Mercury
• With other organizations

Enhancing cooperation and coordination among the BRS conventions
• Synergies in preventing and combating illegal traffic and trade

Programmes of work and budgets
• Consider full budget for 2024-2025

Memorandums of Understanding between UNEP and the COPs (and FAO in the case of RC)
• Proposal for amendments to the three convention-specific MOUs for possible adoption by the COPs
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Budget Issues, Implementation of MoUs between UNEP and BRS COPs

Gundega TRUMKALNE
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Deputy Director, Corporate Services Division, UN Environment Programme

7 March 2023 | 10:00 - 12:00 CET | IEH1, Room 3 & Online  
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Budget documents

• Programmes of work and budgets for the biennium 2024–2025: combined proposal
  • Presents two scenarios for the programmes of work and budgets: Executive Secretaries’ scenario (not to exceed a 5 per cent increase above the 2022-2023 level) and the Zero nominal growth scenario and explains any variances and sets out decisions that the Parties may wish to consider adopting.

• Programmes of work and proposed budgets for the biennium 2024–2025: proposed operational budgets for the two funding scenarios
  • Annexes to this document set out operational budgets for the two funding scenarios, presents indicative assessed contributions; gives background information on staffing component and provides information on financial and in-kind contributions to the Rotterdam Convention Secretariat.

• Programmes of work and proposed budgets for the biennium 2024-2025: programmes of work activity fact sheets
  • Provides further details on the individual activities.
Two funding scenarios

<table>
<thead>
<tr>
<th>Scenario</th>
<th>Approved budget 2022-2023</th>
<th>Executive Secretaries' scenario 2024-2025</th>
<th>Zero Nominal Growth scenario 2024-2025</th>
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</thead>
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<tr>
<td>Core</td>
<td>30,120,755</td>
<td>31,629,941</td>
<td>30,072,403</td>
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<td>Voluntary</td>
<td>30,084,139</td>
<td>31,731,144</td>
<td>31,853,965</td>
</tr>
</tbody>
</table>
How to find documents

Visit [www.brsmeas.org](http://www.brsmeas.org)

Basel Convention > The Convention > Conference of the Parties > Meetings > COP.16 > Working documents / Information documents
Implementation of the memorandums of understanding between UNEP, FAO and the conferences of the Parties
Documents related to MOUs (meeting documents)

- Implementation of the memorandum of understanding between the United Nations Environment Programme and the Conference of the Parties to the Basel Convention
  - UNEP/CHW.16/28

- Implementation of the memorandum of understanding between the Food and Agriculture Organization of the United Nations, the United Nations Environment Programme and the Conference of the Parties to the Rotterdam Convention
  - UNEP/FAO/RC/COP.11/23

- Implementation of the memorandum of understanding between the United Nations Environment Programme and the Conference of the Parties to the Stockholm Convention
  - UNEP/POPS/COP.11/29
Documents related to MOUs (information documents)

- Report of the Executive Director of the United Nations Environment Programme to the respective conferences of the Parties to the Basel, Rotterdam and Stockholm conventions on the implementation of the memorandums of understanding (joint document)

- Report of the Food and Agriculture Organization of the United Nations (FAO) to the Conference of the Parties to the Rotterdam Convention on the implementation of the memorandum of understanding
  - UNEP/FAO/RC/COP.11/INF/34

- Letters by the Executive Director of the United Nations Environment Programme (UNEP) proposing amendments to the memorandums of understanding between UNEP and the Conference of the Parties to the Basel Convention, between the Food and Agriculture Organization of the United Nations, UNEP and the Conference of the Parties to the Rotterdam Convention, and between UNEP and the Conference of the Parties to the Stockholm Convention (joint document)
Identical decisions (BC-15/30, RC-10/19 and SC-10/26) were taken at the meetings of the COPs to the three Conventions (6 – 17 June 2022) requesting the Executive Director of UNEP to comply with the MOUs between the UNEP regarding service costs to be covered by UNEP pursuant to the Annex to each MOU.

A memo was sent by the BRS Executive Secretary to the Executive Director UNEP, dated 28 July 2022, transmitting the request by the conferences of the Parties to the Executive Director of UNEP to comply with the three MOUs.

The Executive Director of UNEP initiated a review of the memorandum of understanding for the purpose of clarifying the central administrative services provided in support of the Convention against the 33 per cent share of the programme support costs income attributable to all the trust funds of the Convention.

As was communicated by the Secretariat to all Parties in a letter dated 20 December 2022, the Executive Director has, as an outcome of this review, proposed amendments to the three MoUs.

The letters from the Executive Director and annexes reflecting the proposed revisions to each of the three memorandums of understanding, with changes tracked, are set out in document UNEP/CHW.16/INF/53–UNEP/FAO/RC/COP.10/INF/39–UNEP/POPS/COP.11/INF/57.
Major areas of clarification: Services provided by UNOG on behalf of UNEP

- Medical and Counselling Services
- Host Country relations related to diplomatic services (UNLP, CDL, diplomatic license plates, petrol cards)
- Mail and diplomatic pouch services
- Security and safety
Implications of the changes to the budget

• The proposed amendments will clarify which services provided to the BRS Secretariat should be covered by the UNEP’s share of the PSC costs.
• The proposed amendments will not result in less services provided to the BRS Secretariat.
• In principle, approving the amendment will not result in additional costs to the Parties since these costs were already being absorbed by the BRS Secretariat prior to 2022 as part of the core budget (except for 2022 – 2023 budget when they were excluded). It should be noted that some of the cost categories, e.g., security, have continued to increase over the years.
• These services have been included in both budget scenarios for 2024 – 2025 (Executive Secretaries’ scenario and the Zero nominal growth scenario).
Proposed amendments to the three MOUs may be reviewed with a view of amending them during the next meetings of the Conference of the Parties, within the scheduled work of the Budget Contact Group.

The review may be followed by a decision by each of the three Conferences, adopting amendments to the memorandums of understanding, in particular the Annex setting out the revised central administrative services provided by UNEP in support of the three Conventions.

Decisions may also be made by the Parties authorizing the Executive Secretary, on an exceptional basis, to draw from the available surplus of the three Conventions’ general trust funds to cover the funding gap for the United Nations Office at Geneva (UNOG) services provided to the Secretariat during the biennium 2022–2023, not included in the approved budget. It is estimated that the amount needed will be 298K covering 7 quarters of the biennium at 42.5K per quarter (expenses of the 1st quarter of 2022 were already paid prior to the decision of the COPs in June 2022).
UNEP’s perspective on the implementation of the memorandums of understanding
Memorandums of understanding between UNEP and BRS Conventions

Background: Current MOUs signed in May 2019 between UNEP and the three conventions.

Areas covered: staffing, Delegation of Authority, common administrative costs, financial matters, programmatic relationship.

During the 2022 COPs, Parties to the Conventions requested that the UNEP PSC portion cover costs under category Security and Safety as well as several other types of core services.
Memorandums of understanding between UNEP and BRS Conventions

Amendment to clarify the interpretation of provision of services vrs the coverage of the cost of the services.

The direct costs associated to any activity is covered from the core fund regardless of the service provider.

The indirect cost, which cannot be associated to any particular entity are covered from program support.

Amendment to clarify which indirect cost are covered by UNEP portion of PSC.

BRS over-expenditure of its PSC due to low implementation rates since 2015.

Need to diversify costs of a long term nature charged to PSC to reduce risks.
The current Program support cost (PSC) policy was issued in May 2017.

IPSAS Cost recovery policy issued by UNHQ triggered the need to revise the policy.

Some initial analysis done. Policy affects UNEP Divisions and MEAs.

Final revised PSC policy is expected to be issued by early 2024.
Thank you
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- Perspectives of Switzerland on the Proposal to Amend Articles 7, 10, 11 and 22 of the Rotterdam Convention & to Add a New Annex VIII to the Convention
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Closing Remarks
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BRIEFING ON THE 2023 MEETINGS OF THE CONFERENCES OF THE PARTIES TO THE BASEL, ROTTERDAM AND STOCKHOLM CONVENTIONS

Perspectives of Switzerland

Michel TSCHIRREN
Waste and Chemicals Focal Point, Federal Office for the Environment, Switzerland

7 March 2023 | 10:00 - 12:00 CET | IEH1, Room 3 & Online  

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Proposal to amend Articles 7, 10, 11 and 22 of the Convention and add a new Annex VIII

Co-sponsors: Australia, Burkina Faso, Colombia, Georgia, Ghana, Mali, Nigeria, Republic of Maldives, and Switzerland
The aim of the Rotterdam Convention

Information-sharing to enable sound decision making

- Promotes shared responsibility for managing trade of certain hazardous chemicals
- Empowers Parties to decide whether to accept a chemical import, and under what conditions
- Does not ban manufacture, use or trade of chemicals
Process for listing a chemical in Annex III

1. Parties in two or more regions notify ‘final regulatory action’
2. Information reviewed by Secretariat and then CRC
3. CRC Prepares decision guidance document (DGD)
4. Recommendation to list in Annex III, and DGD, considered by the COP
5. COP decides to list chemical in Annex III
What problem is the proposal trying to solve?

• The COP has failed to agree to list five chemicals, even though all the listing criteria have been met

• This is undermining the effectiveness of the Convention
  • Erodes confidence in the process
  • Limits information sharing
  • Reduces the ability of Parties to control imports of these hazardous substances
What is the proposal?

- To create a pathway for listing chemicals that have **met the listing criteria**, but the COP cannot reach agreement to list them in Annex III
- A new Annex (Annex VIII)
  - Amendments to Articles 7, 10, 11 and 22 will establish the process for listing a chemical in Annex VIII
- If the COP decides to adopt the proposed amendment, Parties to the Convention will have the opportunity to ratify it.
How will the proposed Annex VIII work?

The CRC recommends a chemical for listing in Annex III

The COP agrees to list the chemical in Annex III

All pre-existing processes and obligations for Annex III chemicals apply

OR

The COP cannot agree to list the chemical in Annex III

Parties to the amended Convention agree (by consensus or three-fourths majority) to list the chemical in Annex VIII

The decision, and the Decision Guidance Document, are transmitted to the Parties to the amended Convention

An importing Party must provide its import response, before any Annex VIII chemical can be exported to them - without exception.

A future decision to list the chemical in Annex III can be taken by the COP
Benefits of the proposed amendment

- Provides an additional tool for some countries to manage unwanted shipments of hazardous chemicals
- Helps countries take domestic action
- Retains the aim of sharing responsibility for the sound management of chemicals
- Builds on existing Convention processes which will remain unchanged
You can find the links to the proposal, explanatory video, and brochure on the Rotterdam website.
We hope you can support this proposal, and by doing so support the continued success of the Convention.
<table>
<thead>
<tr>
<th>EXPORTING PARTY</th>
<th>IMPORING PARTY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Has ratified the new Annex VIII</td>
<td>Has ratified the new Annex VIII</td>
</tr>
<tr>
<td>Importing Party bound by Article 10</td>
<td>Importing Party bound by Article 10</td>
</tr>
<tr>
<td>Exporting Party bound by Article 11</td>
<td>Exporting Party bound by Article 11</td>
</tr>
<tr>
<td><strong>Outcome</strong>: PIC procedure implemented; chemical can be traded if importing Party consents</td>
<td><strong>Outcome</strong>: exporting Party can export in accordance with Article 11, providing it has received explicit consent from the importing non-Party.</td>
</tr>
<tr>
<td>Has not ratified the new Annex VIII</td>
<td>Has not ratified the new Annex VIII</td>
</tr>
<tr>
<td>Importing Party bound by Article 10</td>
<td>Importing Party not bound by Article 10</td>
</tr>
<tr>
<td>Exporting Party not bound by Article 11</td>
<td>Exporting Party not bound by Article 11</td>
</tr>
<tr>
<td><strong>Outcome</strong>: the listing process and consequent availability of information through the DGD enables the importing Party to assess potential risks and take action to manage import, through its national legal frameworks and policies.</td>
<td><strong>Outcome</strong>: Articles 10 and 11 do not apply to the international trade of the chemical.</td>
</tr>
</tbody>
</table>
Articles 7, 10, 11 and 22 Changes

ARTICLE 7
Listing of chemicals in Annex III and VIII

1. For each chemical that the Chemical Review Committee has decided to recommend for listing in Annex III, it shall prepare a draft decision guidance document. The decision guidance document shall, at a minimum, be in accordance with the information specified in Annex IV, or, as the case may be, Annex IV, and include information on uses of the chemical in a category other than the category for which the final regulatory action applies.

2. The recommendation referred to in paragraph 1 together with the draft decision guidance document shall be forwarded to the Conference of the Parties. The Conference of the Parties shall decide whether the chemical should be made subject to the Prior Informed Consent Procedure or subject to detailed consideration and, accordingly, list the chemical in Annex III or Annex VIII, and approve the draft decision guidance document.

3. When a decision to list a chemical in Annex III or Annex VIII has been taken and the related decision guidance document has been approved by the Conference of the Parties, the Secretariat shall forthwith communicate this information to all Parties.

ARTICLE 10
Obligations in relation to imports of chemicals listed in Annex III and Annex VIII

1. Each Party shall implement appropriate legislative or administrative measures to ensure timely decisions with respect to the import of chemicals listed in Annex III and Annex VIII.

2. Each Party shall transmit to the Secretariat, as soon as possible, and in any event no later than twelve months after the date of dispatch of the decision guidance document referred to in paragraph 3 of Article 7, a response concerning the status of the import of the chemical concerned. If a Party modifies this response, it shall forthwith submit the revised response to the Secretariat.

3. The Secretariat shall, at the expiration of the time period in paragraph 2, forthwith address a Party that has not provided such a response, a written request to do so. Should the Party be unable to provide a response, the Secretariat shall, where appropriate, help to provide a response within the time period specified in the last sentence of paragraph 2 of Article 11.

4. A response under paragraph 2 shall consist of either:

(a) A final decision, pursuant to legislative or administrative measures:
(i) To consent to import;
(ii) To not consent to import; or
(iii) To consent to import subject to specified conditions; or
(b) An interim response, which may include:
(i) An interim decision consenting to import with or without specified conditions, or not consenting to import during the interim period;
(ii) A statement that a final decision is under active consideration;
(iii) A request to the Secretariat, or to the Party that notified the final regulatory action, for further information;
(iv) A request to the Secretariat for assistance in evaluating the chemical.

5. A response under subparagraphs (a) or (b) of paragraph 4 shall relate to the category or categories specified for the chemical in Annex III and Annex VIII.

6. A final decision should be accompanied by a description of any legislative or administrative measures adopted which it is based.

7. Each Party shall, no later than the date of entry into force of this Convention for it, transmit to the Secretariat responses with respect to each chemical listed in Annex III and Annex VIII. A Party that has provided such responses under the Amended London Guidelines or the International Code of Conduct shall not re-list those responses.

8. Each Party shall make its responses under this Article available to those concerned within its jurisdiction, in accordance with its legislative or administrative measures.

9. A Party that, pursuant to paragraphs 2 and 4 above and paragraph 2 of Article 11, takes a decision not to consent to import of a chemical or to consent to its import only under specified conditions shall, if it has not already done so, simultaneously publish or make subject to the same conditions:
(a) The import of the chemical from any source; and
(b) The production of the chemical for domestic use.

10. Every six months the Secretariat shall inform all Parties of the responses it has received. Such information shall include a description of the legislative or administrative measures on which the decisions have been based, where available. The Secretariat shall, in addition, inform the Parties of any cases of failure to transmit a response.

ARTICLE 11
Obligations in relation to exports of chemicals listed in Annex III and Annex VIII

1. Each exporting Party shall:

(a) Implement appropriate legislative or administrative measures to communicate the responses forwarded by the Secretariat in accordance with paragraph 10 of Article 10 to those concerned within its jurisdiction;

(b) Take appropriate legislative or administrative measures to ensure that exporters within its jurisdiction comply with decisions in each response no later than six months after the date on which the Secretariat first informs the Parties of such response in accordance with paragraph 10 of Article 10;

(c) Advise and assist importing Parties, upon request and as appropriate:
(i) To obtain further information to help them to take action in accordance with paragraph 4 of Article 10 and paragraph 2 (c) below; and
(ii) To prepare the measures and capabilities to manage chemicals safely during their life-cycle.

2. Each Party shall ensure that a chemical listed in Annex III is not exported from its territory to any importing Party that, in exceptional circumstances, has failed to transmit a response or has transmitted an interim response that does not contain an interim decision, and shall apply for one year.

3. Until such time as it is listed in Annex III, each Party shall ensure that a chemical listed in Annex VIII is not exported from its territory to any importing Party that, in exceptional circumstances, has failed to transmit a response or has transmitted an interim response that does not contain an interim decision.
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Concluding Remarks
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WHAT'S NEXT?

genevaenvironmentnetwork.org

WOMEN, GIRLS AND THE RIGHT TO A HEALTHY ENVIRONMENT

A HRC 52 side event, organized by the Special Rapporteur on Human Rights and the Environment

7 March 2023, 14:00 - 15:00
Room XXII, Palais des Nations and online (see link below)

HRC52 Side Event | Girls, Women, and the Right to a Healthy Environment
07 MAR 2023 14:00 - 15:00
Palais des Nations | Room XXII & Online | Webex
Special Procedures of the UN Human Rights Council

CONFERENCES

Celebrating International Women’s Day 2023 | Women, Girls, and the Triple Planetary Crisis
08 MAR 2023 08:30 - 10:00
International Environment House 1 & Online | Webex

Human Rights and Environment
SDG5

Chemicals and Pollution | Plastics
SDG1 | SDG12
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Extra Slides
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Girma GINA
Finance and Budget Officer, UN Environment Programme

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**Budget Issues, Implementation of MoUs between UNEP and BRS COPs**

**Gundega TRUMKALNE**

Chief, Funds Management, Administration and Human Resources Branch, Basel, Rotterdam and Stockholm Conventions

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