



How could the Basel, Rotterdam and Stockholm (BRS) Conventions contribute to the new global treaty on Plastic Pollution

The UNEA-5 adopted resolution 5/14 entitled “End plastic pollution: Towards an international legally binding instrument” by which the Assembly decided to convene an intergovernmental negotiating committee (INC) to develop an international legally binding instrument on plastic pollution, including in the marine environment. The resolution specified provisions to be covered, including to promote cooperation and coordination with relevant regional and international conventions, while recognizing their respective mandates, avoiding duplication and promoting complementarity of action.

The Basel, Rotterdam and Stockholm conventions have the objective to protect human health and the environment from hazardous chemicals and waste. The BRS conventions have, among others, provisions related to:

- Objectives; definitions;
- National action plans; national reports;
- Effectiveness evaluation; global monitoring plan;
- Technical assistance; financial mechanism;
- Compliance mechanism;
- Assessment of scientific/socio-economic information;
- Awareness-raising, education and information exchange;
- International cooperation and coordination;
- Stakeholder engagement;
- Research and development;
- Conference of the Parties; Secretariat.

Technical assistance and financial mechanism:

Article 10 of the Basel Convention provides for Parties to cooperate with one another to improve and achieve the environmentally sound management of hazardous wastes and other wastes. Article 16 of the Rotterdam Convention and Article 12 of the Stockholm Convention provide obligations related to technical assistance. On plastics, more than 50 countries are currently receiving technical assistance to strengthen the capacity for addressing plastic pollution.

Article 13 and 14 of the Stockholm Convention provides financial resources, mechanisms and arrangements. The institutional structure of the Global Environment Facility (GEF) is entrusted with the operations of the financial mechanism.

The Basel and Stockholm Conventions have established a total of 23 regional and subregional centres to provide technical assistance, capacity building and to promote the transfer of technology to Parties that are developing countries or countries with economies in transition.

Science-policy interface:

The BRS conventions are science-based treaties. Policy decisions taken by their governing bodies, the COP, are underpinned by various scientific assessments, for example by the POPs Review Committee of the Stockholm Convention. Since 2015, the conventions have a Programme of Work “From Science to Action” to enhance science-based decision making through enhanced science-policy interactions.



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Cross cutting

Information exchange:



Article 9 of the Stockholm Convention and Article 14 of the Rotterdam Convention provide requirements relating to information exchange. The joint clearing-house mechanism under the BRS conventions is a multi-stakeholder global system that

facilitate the exchange of information and expertise relevant for the conventions.

International cooperation:



The Rotterdam Convention and the Stockholm Convention provide an express legal basis for their COP to cooperate with international organizations and intergovernmental and non-governmental bodies. Under the Basel Convention, international cooperation falls under the scope of the general functions of

the COP. Each convention also provides for the Secretariat to cooperate with international bodies. At each meeting, the COP adopt substantively similar decisions guiding the various international cooperative activities to be undertaken by the Secretariat with a range of other organizations and stakeholders with a view to enhance consistency and coherence between the requirements and processes of the conventions and those of others, and promote their mutual supportiveness; share experiences, approaches and policies with respect to the implementation of the conventions; and increase efficiency, resources and expertise for the implementation of the mandates and programmes of work of the conventions.

In addition, the bodies of the three conventions work closely together on areas of common interest through enhanced coordination and cooperation (the so-called “synergies process”).



BASEL CONVENTION



ROTTERDAM CONVENTION



STOCKHOLM CONVENTION

Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal

The Basel Convention is currently the only legally-binding global instrument that specifically addresses plastic waste since the Plastic Waste Amendments adopted in 2019 clarifying the scope of plastic waste covered by the Convention. The Basel Convention provides measures to reduce generation of waste and promote their environmentally sound management (ESM), to restrict transboundary movements (TBM) of hazardous wastes except where it is perceived to be in accordance with the principles of ESM; and sets up a regulatory system applying to cases where transboundary movements are permissible.

Plastic Waste Amendments and further activities under the Basel Convention:



Adopted in 2019, the amendments to the entries in Annexes II, VIII and IX to the Basel Convention became effective 1 January 2021. The amendments clarified the scope of the plastic waste covered by the provisions of the Basel Convention.

In decision BC-14/13, the Basel Convention decided to consider whether, how and when the Conference of the Parties should assess the effectiveness of the measures taken under the Convention to address the plastic waste contributing to marine plastic litter and microplastics; and which further activities could possibly be conducted under the Convention.

Technical guidelines for the identification and environmentally sound management of plastic wastes and for their disposal



As the new global treaty is to promote, among others, the ESM of waste, the development of the technical guidelines under the Basel Convention as well as other relevant guidance documents may be of relevance to the INC.

Compliance under the Basel Convention:



The Committee Administering the Mechanism for Promoting Implementation and Compliance reviews both specific submissions regarding individual Parties' implementation and compliance, and general issues of implementation and compliance under the Convention.

Providing further legal clarity:



The expert working group on the review of Annexes is mandated, among others, to consider whether any additional constituents or hazardous characteristics in relation to plastic wastes should be added to Annex I or III, respectively, to the Convention.



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National reporting and plastic waste inventory guidance:



Each Party is to transmit, before the end of each year, a report on the previous calendar year, containing relevant information, including reporting on plastic waste. Draft practical guidance on the development of inventories of plastic waste has been developed.

Plastic Waste Partnership (PWP):



The PWP is delivering its activities through 4 project groups: (1) Prevention and minimization; (2) Collection, recycling and other recovery including financing and related markets; (3) Transboundary movements; (4) outreach, education and awareness-raising.

Harmonized Commodity Description:



A proposal on amendments to the Harmonized System Code with respect to plastic waste, taking into consideration the amendments to annexes to the Basel Convention adopted by decision BC-14/12, has been submitted to WCO.

Strategic framework:



To evaluate the implementation of the Convention, the framework includes goals, objectives and indicators. It foresaw an evaluation by the Conference of the Parties on the continued relevance of and progress in relation to the framework.

Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides

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

Chemicals listed under the Rotterdam Convention:



Of the 52 chemicals listed in Annex III, 14 are plastic additives and are subject to the PIC procedure.

Compliance under the Rotterdam Convention:



In 2019, the COP-9 gave effect to the legal basis set out in Article 17 for it to develop and approve procedures and institutional mechanisms for determining non-compliance with the provisions of this Convention and for treatment of Parties found to be in non-compliance.

Stockholm Convention on Persistent Organic Pollutants

The Stockholm Convention provides measures to reduce releases of persistent organic pollutants, including plastic additives and by-products, from intentional production and use, unintentional production, and stockpiles and wastes.

Chemicals listed under the Stockholm Convention:



Of the 30 POPs listed under the Stockholm Convention, 15 are either plastic additives or by-products. Furthermore, of the 7 chemicals proposed for listing in 2020 and 2021, 5 are plastic additives. The POPs Review Committee review new chemicals proposed for listing under the Convention.

The POPs Review Committee is developing a document on long-range environmental transport, including consideration on chemicals transported via plastics in the environment and biota.

Compliance under the Stockholm Convention:



In 2022, the COP will continue to consider giving effect to the legal basis set out in Article 17 for it to develop and approve, as soon as practicable, procedures and institutional mechanisms for determining non-compliance with the provisions of this Convention and for treatment of Parties found to be in non-compliance.

National implementation plans:



Article 7 of the Stockholm Convention requires each Party to transmit national implementation plans (NIPs) within 2 years from the date of entry into force and to review and update the plans.

National reporting:



Article 15 of the Stockholm Convention provides each Party to report on the implementation of the Convention every four years. The information collected in the national reports is used in the effectiveness evaluation of the Stockholm Convention.

Effectiveness evaluation:



Article 16 of the Stockholm Convention provides that commencing four years after the date of entry into force of the Convention, and periodically thereafter at intervals decided by the COP, the Conference shall evaluate the effectiveness of the Convention.

Research, development and monitoring:



Article 11 of the Stockholm Convention provides requirements for Parties to undertake and encourage research, development and monitoring and cooperation pertaining to POPs.



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Resources available under the Basel, Rotterdam and Stockholm conventions

Text of the Basel Convention. (1989). <http://www.basel.int/tabid/1275>

Text of the Rotterdam Convention. (1998). <http://www.pic.int/tabid/1048>

Text of the Stockholm Convention. (2001). <http://chm.pops.int/tabid/2232>

Basel Convention (2021/2022). Draft updated technical guidelines on the identification and environmentally sound management of plastic wastes and for their disposal. UNEP/CHW.15/6/Add.7; UNEP/CHW/OEWG.12/INF/14/Rev.1. <http://www.basel.int/tabid/8392>; <http://www.basel.int/tabid/8264>

Basel Convention. (2021/2022). Practical manual for stakeholders to ensure that notifications of transboundary movements meet environmentally sound management requirements. UNEP/CHW.15/5/Add.1; UNEP/CHW/OEWG.12/INF/5/Rev.1. <http://www.basel.int/tabid/8392>; <http://www.basel.int/tabid/8264>

Basel Convention. (2022). Basel Convention Partnership Programme. UNEP/CHW.15/8/Rev.1. <http://www.basel.int/tabid/8392>

Basel Convention. (May 2022). Report on the activities of the Plastic Waste Partnership working group, which includes progress made by the respective project groups. UNEP/COP.15/INF/36.

Basel Convention. (2021/2022). National reporting (UNEP/CHW.15/8) and draft practical guidance on the development of inventories of plastic waste (UNEP/CHW.15/INF/19; UNEP/CHW/OEWG.12/INF/15/Rev.1). <http://www.basel.int/tabid/8392>; <http://www.basel.int/tabid/8264>; <http://www.basel.int/tabid/2314>

Basel Convention. (2022). Committee Administering the Mechanism for Promoting Implementation and Compliance (UNEP/CHW.15/12/Rev.1; UNEP/CHW.15/INF/14, 15, 16, 17). <http://www.basel.int/tabid/8392>

Basel Convention (2021). Providing further legal clarity (UNEP/CHW.15/13; UNEP/CHW.15/INF/21). <http://www.basel.int/tabid/8392>

Basel Convention (2021/2022). Further consideration of plastic waste (UNEP/CHW.15/10; UNEP/CHW.15/INF/10; UNEP/CHW.15/INF/11). <http://www.basel.int/tabid/8392>; <http://www.basel.int/tabid/8264>

Basel Convention. (2021/2022). Draft report on the final evaluation of the strategic framework for the implementation of the Basel Convention for 2012–2021 (UNEP/CHW.15/3; UNEP/CHW.15/3/Add.1; UNEP/CHW.15/INF/5; UNEP/CHW/OEWG.12/INF/4/Rev.1). <http://www.basel.int/tabid/8392>; <http://www.basel.int/tabid/8264>

Basel Convention (2021/2022). Cooperation with the World Customs Organization on the Harmonized Commodity Description and Coding System (UNEP/CHW.15/7; UNEP/CHW/OEWG.12/INF/10). <http://www.basel.int/tabid/8392>; <http://www.basel.int/tabid/8264>

Basel Convention. (2013). Framework for the environmentally sound management of hazardous wastes and other wastes (UNEP/CHW.11/3/Add.1/Rev.1). <http://www.basel.int/tabid/8333>

Basel Convention. (2013). Glossary of terms (UNEP/CHW.13/4/Add.2). <http://www.basel.int/tabid/3622>

Basel Convention. (2013). Set of practical manuals for the promotion of the environmentally sound management of wastes (UNEP/CHW.13/4/Add.1/Rev.1). <http://www.basel.int/tabid/8333>

Basel Convention. (2017). Guidance to assist Parties in developing efficient strategies for achieving the prevention and minimization of the generation of hazardous and other wastes and their disposal (UNEP/CHW.13/INF/11/Rev.1). <http://www.basel.int/tabid/8333>

Basel Convention. (2017). Guidance manual on how to improve the sea-land interface (UNEP/CHW.13/INF/37/Rev.1). <http://www.basel.int/tabid/8333>

Basel Convention. (2019). Revised draft practical manuals on extended producer responsibility and financing systems for environmentally sound

management (UNEP/CHW.14/5/Add.1). <http://www.basel.int/tabid/8333>

Basel Convention. (2019). Revised draft practical manual for stakeholders to ensure that notifications of transboundary movements meet environmentally sound management requirements (UNEP/CHW.14/INF/6). <http://www.basel.int/tabid/8333>

Basel Convention. (2019). Revised draft guidance to assist Parties in developing efficient strategies for achieving recycling and recovery of hazardous and other wastes (UNEP/CHW.14/INF/7). <http://www.basel.int/tabid/8333>

Basel Convention. (2019). Revised draft guidance on how to address the environmentally sound management of wastes in the informal sector (UNEP/CHW.14/INF/8). <http://www.basel.int/tabid/8333>

Basel Convention. (2019). Revised draft overall guidance document on the environmentally sound management of household waste (UNEP/CHW.14/INF/32). <http://www.basel.int/tabid/8333>

Basel Convention. (2019). Environmentally sound management (ESM) toolkit. <http://www.basel.int/tabid/5839>

Stockholm Convention. (2009). Handbook for effective participation in the work of the POPs Review Committee. <http://chm.pops.int/tabid/345>

Stockholm Convention. (2022). Draft guidance on long-range environmental transport (UNEP/POPS/POPRC.17/INF/15). <http://chm.pops.int/tabid/8900>

Stockholm Convention. (2021/2022). Implementation plans (UNEP/POPS/COP.10/10; UNEP/POPS/COP.10/INF/21). <http://chm.pops.int/tabid/8397>

Stockholm Convention. (2021/2022). Reporting pursuant to Article 15 of the Stockholm Convention (UNEP/POPS/COP.10/16). <http://chm.pops.int/tabid/8397>; <http://chm.pops.int/tabid/3668>

Stockholm Convention. (2021/2022). Effectiveness evaluation (UNEP/POPS/COP.10/17). <http://chm.pops.int/tabid/8397>; <http://chm.pops.int/tabid/369>

Stockholm Convention. (2021/2022). Global monitoring plan for effectiveness evaluation (UNEP/POPS/COP.10/18; UNEP/POPS/COP.10/INF/41). <http://chm.pops.int/tabid/8397>; <http://chm.pops.int/tabid/83>

Synergies among the Basel, Rotterdam and Stockholm Conventions. (2021). Technical assistance and capacity-building for the implementation of the Basel, Rotterdam and Stockholm conventions (UNEP/CHW.15/16–UNEP/FAO/RC/COP.10/15–UNEP/POPS/COP.10/13). <http://www.brsmeas.org/tabid/8810>

Stockholm Convention. (2021). Stockholm Convention regional and subregional centres for capacity-building and the transfer of technology (UNEP/POPS/COP.10/14). <http://chm.pops.int/tabid/8397>

Basel Convention. (2021). Basel Convention regional and coordinating centres (UNEP/CHW.15/17; UNEP/CHW.15/INF/32). <http://www.basel.int/tabid/8392>

Stockholm Convention. (2022). Financial mechanism (UNEP/POPS/COP.10/15/Rev.1). <http://chm.pops.int/tabid/8397>

Synergies among the Basel, Rotterdam and Stockholm Conventions. (2022). International cooperation and coordination with other organizations (UNEP/CHW.15/21/Rev.1–UNEP/FAO/RC/COP.10/17/Rev.1–UNEP/POPS/COP.10/21/Rev.1). <http://www.brsmeas.org/tabid/8810>

Synergies among the Basel, Rotterdam and Stockholm Conventions. (2021). Clearing-house mechanism for information exchange (UNEP/CHW.15/22–UNEP/FAO/RC/COP.10/18–UNEP/POPS/COP.10/22). <http://www.brsmeas.org/tabid/8810>

Synergies among the Basel, Rotterdam and Stockholm Conventions. (2021/2022). From science to action (UNEP/CHW.15/25–UNEP/FAO/RC/COP.10/21–UNEP/POPS/COP.10/25; UNEP/CHW.15/INF/49/Rev.1–UNEP/FAO/RC/COP.10/INF/36/Rev.1–UNEP/POPS/COP.10/INF/54/Rev.1). <http://www.brsmeas.org/tabid/8810>



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