

Contribution of the Secretariat of the Basel, Rotterdam and Stockholm Conventions to the report of the Secretary-General on oceans and the law of the sea pursuant to United Nations General Assembly resolution 77/248 of 30 December 2022

1. 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 contribute to protect the marine environment against the adverse effects which may result from hazardous chemicals and wastes.
2. The Basel, Rotterdam and Stockholm Conventions are part of the international action being taken to promote the sound management of chemicals throughout their life cycle in ways that lead to the prevention and minimization of significant adverse effects on human health and the environment, including oceans and marine biodiversity. The Conventions contribute to making consumption and production patterns and waste management more sustainable and hence reduce direct discharge or land runoff of hazardous pollutants or wastes into the marine and coastal environments.
3. Below are the main developments which have occurred in the framework of the Conventions since the last submission of the Secretariat in June 2022 in relation to relevant paragraphs of General Assembly resolution 77/248.

Paragraph 36: Capacity-building for developing States to address the multiple facets of international criminal activities at sea; Paragraph 163: Enhanced international cooperation to combat transnational organized criminal activities at sea

4. Parties to the Basel Convention are required to prevent and combat illegal traffic in hazardous wastes and other wastes. Capacity building activities for developing States to address the multiple facets of international criminal activities at sea included:
 - (a) Sub-regional training workshop on legal frameworks and international trade control measures under the three conventions, including import/export procedures and preventing and combating illegal traffic of hazardous chemicals and wastes, 18-20 October 2022 in Koror, Palau.
 - (b) National pilot projects on legal frameworks and international trade control measures under the Basel, Rotterdam and Stockholm conventions in Papua New Guinea, State of Palestine and Turkmenistan.
 - (c) Sub-regional training workshop on national legislation, illegal traffic and trade, and enforcement under the Basel, Rotterdam and Stockholm conventions, 17-18 November 2022, in Lagos, Nigeria. Gambia, Ghana, Nigeria, Liberia, Sierra Leone.
5. The Basel Convention continues to provide a framework for the development of guidance documents to assist Parties in preventing and combatting illegal traffic,¹ as well as for a network to promote compliance with the Convention's provisions on preventing and combating illegal traffic through a better implementation and enforcement of national law: the Environmental Network for Optimizing Regulatory Compliance on Illegal Traffic (ENFORCE). ENFORCE brings together Parties to the Basel Convention, Basel Convention regional centres, and relevant entities with a mandate to assist Parties to prevent and combat illegal traffic and thereby contributes to a more efficient delivery of support to Parties.

Paragraph 37: Capacity-building to improve waste management practices

¹ See the Guide for the implementation of the Basel Convention provisions dealing with illegal traffic (paragraphs 2, 3 and 4 of Article 9), the Guidance Elements for Detection, Prevention and Control of Illegal Traffic in Hazardous Waste, the Instruction Manual on the Prosecution of Illegal Traffic of Hazardous Wastes or Other Wastes, and the Basel Convention Training Manual on Illegal Traffic for Customs and Enforcement Agencies, available at: <http://basel.int/Implementation/LegalMatters/IllegalTraffic/Guidance/tabid/3423/Default.aspx>.

6. Actions taken under the Basel Convention to build capacities for improved waste management practices include the following:

(a) Environmentally sound management of waste

7. After the development of ESM guidance included in the ESM toolkit², the Secretariat is providing technical assistance to Parties, upon request, on priority waste streams, such as e-waste, waste lead-acid batteries and other batteries (e.g. Lithium-ion batteries), on waste including or contaminated with PCBs and other Persistent Organic Pollutants, on Mercury wastes, waste containing nanomaterials, plastic wastes, household waste, and other waste streams under the Convention.

(b) Technical guidelines for the environmentally sound management of waste

8. The Convention stipulates that technical guideline for the ESM of the waste falling under its scope should be developed and adopted by the Conference of the Parties. Although not legally-binding at the international level, technical guidelines provide for the foundation upon which countries can operate at a standard that is not less environmentally sound than that required by the Basel Convention. Some Parties have also transposed certain technical guidelines into their national legislation and regulations. These guidelines are developed for a variety of waste streams and disposal operations and are intended to assist Parties, in particular developing countries, in ensuring the ESM of hazardous and other wastes. All the technical guidelines developed and adopted under the Basel Convention are available at:

<http://basel.int/Implementation/Publications/LatestTechnicalGuidelines/tabid/5875/Default.aspx>.

9. The following technical guidelines were adopted by the Conference of the Parties at its sixteenth meeting held in May 2023:

(a) Technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with persistent organic pollutants (BC-16/3).

(b) Technical guidelines on the environmentally sound management of plastic wastes (BC-16/4).

(c) The 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 (BC-16/5) was adopted in an interim basis.

10. Plastic Waste Partnership

11. Established in 2019 by the Conference of the Parties to the Basel Convention, the Plastic Waste Partnership³ (PWP) is delivering its activities through 4 project groups: 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. 23 pilot projects are being implemented in 22 countries, with a second round of 17 regional and national projects to commence in late 2023. Recent progress includes the approval of reports on best practices and lessons learned on measures taken by key stakeholders to prevent and reduce single use plastic waste and packaging waste, and approval of a compilation of national and international specifications related to the Basel Convention plastic waste amendments aimed at assisting Parties in their implementation. Further information is available on the PWP webpages.⁴

² See the Environmental sound management (ESM) toolkit at <https://www.basel.int/Implementation/CountryLedInitiative/EnvironmentallySoundManagement/ESMToolkit/Overview/tabid/5839/Default.aspx>

³ <http://www.basel.int/tabid/8096>.

⁴ <http://www.basel.int/tabid/8096>.

12. Household Waste Partnership

13. Established by the Conference of the Parties to the Basel Convention in 2017, the Household Waste Partnership aims at promoting the ESM of household waste, including its prevention and minimization, through the development of guidance, tools and manuals for governments, regional and local authorities and other stakeholders on, among other things, best practices, business models, policies and innovative solutions for the ESM of household waste.

14. The Conference of the Parties to the Basel Convention, by decision BC-13/14, requested the working group of the Partnership to develop an overall guidance document on the environmentally sound management of household waste. The sixteenth meeting of the Conferences of the Parties to the Basel Convention invited Parties and others to provide comments on the revised draft overall guidance document to the Secretariat by 30 September 2023; and for the working group to prepare a further draft for possible adoption by the seventeenth meeting of the Conference of the Parties. In addition, the working group was requested to continue to implement its workplan including activities on awareness raising and cooperation with other entities.

15. Partnership for Action on Challenges relating to E-waste

16. The follow-up Partnership to PACE focused on the ESM of mobile phones, computing equipment and policies for the ESM of e-waste. The fifteenth meeting of the Conference of the Parties to the Basel Convention changed the name of this partnership into Partnership for Action on challenges relating to E-waste, abbreviated PACE II and adopted amendments to the terms of reference, adding new e-waste types in the scope of the Partnership: wastes of refrigerators, cooling and heating equipment, TV screens, audio and video equipment.

17. PACE II is a public-private platform which aims at enhancing the environmentally sound management of e-waste. The partnership is developing guidance on environmentally sound repair and refurbishment of used and environmentally sound management of waste television screens, audio and video equipment and of refrigerators, cooling and heating equipment. The programme of work for 2022-2023 includes also pilot projects and dissemination and training activities.

18. Regional centres of the Basel and Stockholm Conventions

19. The Basel Convention benefits from a network of 14 regional and coordinating centres for capacity building and technology transfer. The centres' focus is on training and technology transfer regarding the management of hazardous and other wastes and the minimization of their generation.⁵

20. The Stockholm Convention has established a network of 17 regional and subregional centres to provide technical assistance and to promote the transfer of technology to developing country Parties and Parties with economies in transition regarding the implementation of their obligations under the Convention.⁶ This includes the Stockholm Convention Regional Centre for the Transfer of Technology in Trinidad and Tobago, endorsed by the Conference of the Parties to the Stockholm Convention at its eleventh meeting in May 2023.

21. A number of regional centres of the Basel and Stockholm Conventions are actively working on addressing the issue of marine plastic litter and microplastics, through their technical assistance and information exchange activities. The Regional Centres are also implementing partners in a series of projects addressing plastic waste under the Small Grants Programme (SGP), funded by the Norwegian Agency for Development Cooperation (Norad), Germany and Sweden.

Paragraphs 230 to 239: Actions to address marine pollution, including marine debris, especially plastics, microplastics, and persistent organic pollutants.

⁵ <http://www.basel.int/Partners/RegionalCentres/Overview/tabid/2334/Default.aspx>

⁶ <http://chm.pops.int/Partners/RegionalCentres/Overview/tabid/425/Default.aspx>

22. The Secretariat of the Basel, Rotterdam and Stockholm Conventions is involved in a broad range of international cooperation and technical assistance activities to address plastic waste, including marine plastic litter and microplastics.
23. The European Union, Canada, France, Germany, Japan, Netherlands, Norway, Sweden, Switzerland, the Norwegian Agency for Development Cooperation (Norad) and the Norwegian Retailers' Environment Fund are providing financial support to the activities related to plastic waste.
24. The following technical assistance projects are currently being implemented:
- (a) The project *'Marine litter and microplastics: promoting the environmentally sound management of plastic waste and achieving the prevention and minimization of the generation of plastic waste'* seeks to prevent and significantly reduce marine litter and microplastics by strengthening capacity in Ghana and Sri Lanka as well as at the regional and global levels. The project is funded by the Norad and scheduled to be completed in 2023;⁷
 - (b) The project *'Further actions to address plastic waste under the Basel Convention'* aims to assist partner countries to improve their management of plastic waste and ultimately contribute to Sustainable Development Goal target 14.1.⁸ Under this project, 16 project proposals by regional centres have been implemented during the first two rounds of the Small Grants Programme (SGP) on Plastic Waste (2021-2022). The project is funded by the Norad, with additional funding from the governments of Germany and Sweden, and is benefiting 36 countries in Asia-Pacific, Africa, Latin America and the Caribbean and Central and Eastern Europe. Following the third call for submission of project proposals by the Basel and Stockholm Conventions Regional Centres, additional 5 national and 2 regional projects have been selected for implementation (2023-2024);
 - (c) The project *'Plastic Waste in Remote and Mountainous Areas'* aims to strengthen capacity and awareness in remote and mountainous areas to reduce the amounts of plastic waste and to ensure its environmentally sound management. Pilot activities are being initiated in North Macedonia and Peru. The project is funded by the governments of France and Norway, and Norad and scheduled to be completed in 2023;
 - (d) The project *'Strengthening knowledge and capacity to prevent and reduce releases of plastic waste in Malawi and Zimbabwe'* financed by the Norwegian Retailers' Environment Fund, with additional funding from the Governments of Norway and Sweden, aims to protect human health and the environment from plastic waste by strengthening knowledge and capacity among decision makers in these two countries. The project is scheduled to be completed in June 2023;
 - (e) The project *'Environmentally sound plastic management'*, financed by the Norwegian Retailers Environment Fund, commenced in April 2022 and is scheduled for completion in December 2025. It targets up to 12 countries.
25. At its eleventh meeting, the Conference of the Parties to the Stockholm Convention decided to amend part I of Annex A of the Stockholm Convention to list three persistent organic pollutants. methoxychlor (SC-11/9), Dechlorane Plus (SC-11/10) and UV-328 (SC-11/11). Methoxychlor is a pesticide that has been used as a replacement for DDT against a wide range of pests. It is known to be very highly toxic to invertebrates and fish, including through its endocrine-disrupting effects, and has been detected in the environment and biota in the Arctic and in Antarctica, far from its production and use. Methoxychlor has also been detected in human serum, adipose tissues, umbilical cord blood and human breast milk. Dechlorane plus (SC-11/10) is a flame retardant and UV-328 a UV absorbent. Dechlorane plus and UV-328 have been heavily used as plastic additives, such as for motor vehicles, industrial machines and in medical devices. Regarding the chemicals under review, at its eighteenth meeting from 26 to 30 September 2022, the POPs Review Committee adopted the risk profiles for the following chemicals and established intersessional working groups to prepare draft risk management

⁷ <http://www.basel.int/Implementation/Plasticwaste/Technicalassistance/Projects/BRSNorad1/tabid/8343/Default.aspx>

⁸ <http://www.basel.int/Implementation/Plasticwaste/Technicalassistance/Projects/BRSNorad2/tabid/8344/Default.aspx>

evaluations: chlorinated paraffins with carbon chain lengths in the range C14-17 and chlorination levels at or exceeding 45 per cent chlorine by weight; long-chain perfluorocarboxylic acids (PFCAs), their salts and related compounds. The decision on the risk profile for chlorpyrifos was deferred to POPRC-19 that will take place from 9-13 October 2023. The Committee also established an intersessional working group to revise the draft risk profile for chlorpyrifos.

26. The Stockholm Convention controls various persistent organic pollutants which have been used as plastic additives such as flame retardants, plasticizers, oil and water repellents and in manufacture of fluoropolymers. Those persistent organic pollutants include: brominated diphenyl ethers, hexabromocyclododecane, short-chain chlorinated paraffins, perfluorooctane sulfonic acid (PFOS), its salts and perfluorooctane sulfonyl fluoride (PFOSF), perfluorooctanoic acid (PFOA), its salts and PFOA-related compounds, Dechlorane Plus and UV-328. Identifying these chemicals in products, including plastics, poses significant challenges. In light of this, the Conference of the Parties has tasked the POPs Review Committee to explore options for their identification and report back to the Conference of the Parties at its twelfth meeting.

Paragraph 255: Continued cooperation between the Parties to the Basel Convention and the International Maritime Organization on regulations on the prevention of pollution from ships

27. The Secretariat continues to cooperate with the International Maritime Organization (IMO) to implement decisions BC-12/15 on ship dismantling and BC-13/15 related to wastes generated on board ships and works with organizations such as the International Labour Organization and International Maritime Organization, as appropriate, on policy and capacity-building issues related to sustainable ship recycling.

Paragraph 256: The role of the Basel Convention in ensuring that the management of hazardous wastes and other wastes, under the scope of that Convention, including their transboundary movement and disposal, is consistent with the protection of the marine environment;

(a) Plastic Waste amendments

28. The Plastic Waste Amendments adopted by the Conference of the Parties at its fourteenth meeting entered into force on 24 March 2020 and the new entries have become effective for 190 Parties to the Basel Convention. The Amendments, adopted by decision BC-14/12, aimed at enhancing the control of the transboundary movements of plastic waste and clarifying the scope of the Convention as it applies to such waste:

(a) Annex II (waste that requires special consideration: subject to the PIC procedure): addition of new entry Y48 covering all plastic waste, including mixtures of plastic waste, except for the plastic waste covered by entries A3210 (in Annex VIII) and B3011 (in Annex IX);

(b) Annex VIII (waste presumed to be hazardous: subject to the PIC procedure): addition of new entry A3210 covering hazardous plastic waste;

(c) Annex IX (waste presumed to not be hazardous: not subject to the PIC procedure): addition of new entry B3011, replacing current entry B3010 after a specific date, covering plastic waste consisting exclusively of one non-halogenated polymer or resin, selected fluorinated polymers or mixtures of polyethylene, polypropylene and/or polyethylene terephthalate, provided the waste is destined for recycling in an environmentally sound manner and almost free from contamination and other types of wastes.

29. With regard to the plastic waste listed in entries A3210 and Y48, each Party are required to implement the provisions of the Basel Convention pertaining to waste minimization and the ESM of such wastes. The amendments will make the global trade in plastic waste more transparent and better regulated, whilst also ensuring that its management is safer for human health and the environment. You may find more information on the website regarding the [text of the amendments](#) and related [Frequently-Asked-Questions](#).

(b) Further actions to address plastic waste

30. At its sixteenth meeting, the Conference of the Parties to the Basel Convention took note of the draft document on possible further activities that could be conducted under the Basel Convention in response to developments in scientific knowledge and environmental information and health impacts related to plastic waste as a source of land pollution, marine plastic litter and microplastics, and of the compilation of inputs from Parties at the sixteenth meeting of the Conference of the Parties. The Conference of the Parties decided to include in the work programme of the Open-ended Working Group for 2024–2025, under topic II.D on further consideration of plastic waste, the consideration of further activities that could be conducted under the Convention in response to developments in scientific knowledge and environmental information related to plastic waste, as well as in the consideration by the intergovernmental negotiating committee referred to in paragraph 1 of resolution 5/14 of the United Nations Environment Assembly.

(c) Cooperation with the World Customs Organization on the Harmonized Commodity Description and Coding System

31. Pursuant to paragraph 3 of decision BC-14/9, the Secretariat submitted to the World Customs Organization proposals for amending the Harmonized Commodity Description and Coding System to allow for the identification of waste mineral oils unfit for their originally intended use (A3020), at a concentration level of 50mg/kg or more, plastic waste and waste pneumatic tyres.

32. At its 70th session in September 2022, the Harmonized System Committee unanimously was in favour of the draft recommendation prepared by the Secretariat on the insertion in national statistical nomenclatures of subheadings to facilitate the collection and comparison of data on the international movement of waste oils containing PCBs at a concentration level of 50 mg/kg or more and agreed to send it to the next session of the WCO Council for its adoption. Review of the proposals on plastic waste and waste pneumatic tyres by the Harmonized System Review Subcommittee is ongoing.

(d) E-waste amendments

33. The Parties to the Basel Convention, taking into consideration the growing concern regarding the challenges in the environmentally sound management of e-waste, at the fifteenth meeting of the Conference of the Parties, in 2022, adopted a decision to amend annexes II, VIII and IX of the Convention, listing both hazardous and non-hazardous e-wastes in the Annexes of the Convention (BC-15/18). The amendments require that all e-wastes, subject to transboundary movement, follow the Prior Informed Consent Procedure (PIC) of the Basel Convention. Prior to this decision, only hazardous e-wastes were subject to the PIC procedure. The decision intends to enhance the environmentally sound management of e-waste and to prevent their illegal traffic.

34. At its sixteenth meeting the Conference of the Parties requested the Secretariat to prepare draft updates of a list of documents to reflect adjustments consequential to the adoption of the amendments to Annexes II, VIII and IX to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, set out in decision BC-15/18 and known as the “e-waste amendments”.

Paragraph 257 Cooperation in the fields of protection of the marine environment, human health and safety, prevention, emergency response and mitigation to better understand the consequences of marine oil spills or marine spills involving hazardous or noxious substances

35. The Secretariat continues to cooperate with the Joint Environment Unit (JEU) of UNEP/OCHA (Office for the Coordination of Humanitarian Affairs) and with the International Maritime Organization to provide technical assistance to emergency prevention and response civil protection officers, port authorities and Basel Convention focal points to prevent and respond to environmental emergencies caused by hazardous chemicals and wastes in the scope of the Basel, Rotterdam and Stockholm Conventions. A training workshop for Parties which are members of the Economic Community of West

African States (ECOWAS) sub-region was organized in Lagos, Nigeria from 31 January to 2 February 2023 and was organized jointly with JEU.

Paragraph 308: Cooperation and coordination in research efforts to reduce harmful impacts on marine life; Paragraph 331 Regular scientific assessments of the state of the marine environment to enhance the scientific basis for policymaking

36. The Basel, Rotterdam and Stockholm Conventions, with the assistance of their scientific subsidiary bodies, the prior informed consent procedure, and national reporting obligations, play a crucial role in generating global data on chemicals and waste management. They ensure this data is accessible to Parties and stakeholders.

37. For example, under the Stockholm Convention's Global Monitoring Plan, various activities are conducted to generate long-term and comparable monitoring data on the concentrations of persistent organic pollutants. These activities focus on humans, ambient air, and surface water for water-soluble persistent organic pollutants. The resulting information is synthesized and made available in regional and global monitoring reports within the global monitoring plan.⁹ The data on persistent organic pollutant monitoring is widely accessible through the global monitoring plan data warehouse.¹⁰ Additionally, information on the concentrations of hydrophilic persistent organic pollutants in surface water, including temporal changes, can be found in the aforementioned documents and resources.

38. The Secretariat collaborates with a diverse range of actors to support international research efforts on the fate and effects of marine plastics and microplastics, such as the Group of Experts on the Scientific Aspects of Marine Environmental Protection (GESAMP) The Secretariat has been participating in Working Groups 40, 43 and 45 of the GESAMP.

⁹ <http://chm.pops.int/Implementation/GlobalMonitoringPlan/MonitoringReports/tabid/525/Default.aspx>

¹⁰ <https://www.pops-gmp.org>