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#### INFORMATION NOTE

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From: General Secretariat of the Council

To: Delegations

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Subject: Thirteenth meeting of the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal (Geneva, 24 April–5 May 2017)

Eighth meeting 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 (Geneva, 24 April–5 May 2017)

Eighth meeting of the Conference of the Parties to the Stockholm Convention on Persistent Organic Pollutants (Geneva, 24 April–5 May 2017)

- Compilation of statements

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Delegations will find in the Annex, for information purposes, a compilation of agreed statements as delivered at the abovementioned meetings (including at the joint session). Unless indicated otherwise, statements were delivered on behalf of the European Union and its Member States.

STATEMENTS DELIVERED AT THE JOINT SESSION

**OPENING STATEMENT**

Presidents of the Conferences of the Parties of the Basel, Rotterdam and Stockholm Convention, Executive Secretaries, Excellencies, Party delegates, colleagues from the Secretariat, interpreters, observers, ladies and gentlemen.

The EU and its Member States would like to thank the Presidents, the Secretariat and the members of the Bureaux for the good work done in preparing these meetings.

The collective success of these three Conferences of the Parties is important for a number of reasons.

Firstly, for ensuring that the three Conventions provide their substantive contribution to the sound management of chemicals and waste and thereby making progress towards the 2020 goal for the sound management of chemicals and wastes and many other Sustainable Development Goals of the 2030 Agenda.

Secondly, for getting the work under the three Conventions done more effectively.

This is the third time that the ordinary Conferences of the Parties of these three Conventions are held in a synergistic setting.

The development of this cooperation and coordination among the Conventions and, more widely, with relevant international instruments and organizations is a success. We have broken down silos, learning and discussing across Conventions, becoming more efficient and better informed. This is vital for an efficient and effective global implementation of the sound management of chemicals and waste.

Unfortunately this success of coordinated and, in some cases, joint action leading to efficiencies between the Conventions is not mirrored by an equal increase in efficiencies within the Stockholm and Rotterdam Conventions.

On the contrary!

We are not listing substances which meet all relevant criteria and we are not establishing effective compliance mechanisms.

As we are speeding up at the interaction level we are slowing down at the implementation level. This is very clear in the Rotterdam Convention.

We fully understand and share the frustration that has led some of our African colleagues to propose changes to the Rotterdam Convention to break the growing stalemate on the listing of chemicals. We must find a way to end this stalemate. We must find a way to at least allow the large majority of willing Parties to benefit from the Rotterdam Convention information exchange system. The Industry in the EU still exports a number of chemicals listed in Annex III demonstrating that listing does not kill chemical industry.

On the contrary.

It ensures that the information necessary to safely manage chemicals is exchanged and thereby ensuring the sustainable use of chemicals throughout their life cycle.

In contrast, excellent work continues to be done under the Basel Convention on many issues.

The EU and its Member States hope that the discussions at these three COPs will address these concerns so that together with all the routine work which must be done we will sit here on the fifth of May, for the successful work, work that our citizens can see a benefit of.

The European Union and its Member States are now ready to engage in all forms of discussion on substantive matters and look forward to fruitful, productive and responsible engagement during these Conferences of the Parties.

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## ADOPTION OF THE AGENDA

### **BC Item 2; RC Item 2; SC Item 2**

The European Union and its Member States would like to thank the Bureaux and the Secretariat for the proposed provisional agendas. We agree generally with them.

However, we would like to request the explicit inclusion of the Memoranda of Understanding between the COP of each Convention and UNEP, and FAO in the case of the Rotterdam Convention, as a separate item of the agenda of the meeting of each COP.

This is an important matter, which has been the subject of decisions by the COPs in 2013 and in 2015. Since it is still outstanding, it should appear as a specific agenda item for 2017 meetings of each COP and, if appropriate, for future meetings.

We would be grateful if the Presidents let us know whether we should reiterate the request under the two other Conventions, or whether this request is sufficient.

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## ORGANISATION OF WORK

### BC Item 3 (b); RC Item 3 (b); SC Item 3 (b)

The European Union and its Member States thank the Bureaux and the Secretariat for the tentative schedule and the suggested organisation of work.

We have a number of proposals:

- Careful consideration should be given to ensure that there is sufficient time to discuss all the proposed decisions and that it may not always be possible to do so in plenary. Therefore, in addition to the contact groups on "technical assistance and financial resources" and on "programme of work and budget", we support a contact group on joint issues, which should address various matters of relevance to the three Conventions, including the Memoranda of Understanding with UNEP and FAO, the draft Decisions on the synergies review and other joint issues for which we have submitted substantive proposals this morning. Given the various decisions to be addressed by this group, the focus should be on the decisions and not, for example, on the content of reports from consultants on the synergies review.
- On the tentative schedule of the Rotterdam Convention, we are concerned about the session for the afternoon of Thursday 27 April. This session would take place several days before the actual schedule for Rotterdam Convention related matters. This is of concern due to the absence of relevant experts on that date. In fact, we would like to recall that the 2015 decisions on the date of these 2017 meetings of the COPs, provided that the meetings would take place "back-to-back", i.e. one COP meeting after the other, except in the case of joint sessions, where appropriate on joint issues. This is not the case of the RC-specific session or for the possible RC-specific contact group suggested for 27 April.
- Regarding the proposals to amend Articles 16 and 22 of the Rotterdam Convention, and given that they touch upon different subjects, it would be important to ensure that their various aspects are properly considered. A Friends-of-the-President group would seem the best way to ensure an adequate overview of their different elements and implications. This same group could also consider the state of play and possible next steps on the Rotterdam Convention intersessional work on the process of listing chemicals, in view of its link with the proposed amendment to Article 22 of the Convention.

Finally, we would like to have reflected in the meeting report our concern about the late availability of some important documents, for example, the draft strategy and workplan on the clearing house mechanism, which contain the actual substance of the draft Decision on this issue.

## INTERNATIONAL COOPERATION AND COORDINATION

### BC Item 4 (e) (ii); RC Item 5 (f); SC Item 5 (k)

The European Union and its Member States thank the Secretariat for the pertaining documents and the work undertaken.

Enhanced international cooperation and coordination, in particular within the chemicals and waste cluster and with all relevant organisations involved in the implementation of the 2030 Agenda, is as essential as the enhancement of cooperation and coordination among the three Conventions.

Therefore, we welcome the draft Decision. This Decision should be complemented with a few additional elements. In this respect, I refer to:

- the adoption of the 2030 Agenda on Sustainable Development and the integration of the sound management of chemicals and waste in numerous goals of the 2030 Agenda should be welcomed;
- the COPs should also welcome the resolutions adopted at the fourth session of the International Conference on Chemicals Management, including the endorsement of the Overall Orientation and Guidance to meet the 2020 goal and the importance of the intersessional process on the sound management of chemicals and waste beyond 2020 to achieve a coherent framework.

We look forward to discussing these matters in a contact group on joint issues.

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## TECHNICAL ASSISTANCE AND CAPACITY BUILDING

### **BC Item 4 (d) (i); RC Item 5 (d); SC Item 5 (f)**

We took note of your request to the COPs to add this agenda sub-item. Since we are focussing on an omnibus decision, I hope you don't mind that I deliver only one sweet and short statement on behalf of the EU and its Member States on this agenda item.

We would like to thank the Secretariat for the work undertaken and the pertaining documents. The draft Decisions are generally acceptable, subject to certain adjustments and clarifications.

As suggested by the Bureaux, all relevant points on technical assistance should be consolidated in a single (omnibus) decision from each COP in order to have a proper overview of the various interrelated matters and be able to focus at each COP on relevant priorities.

Furthermore, we welcome the Secretariat's suggestion to have a "technical assistance plan" covering four years, instead of two. The technical assistance plan should remain a living document to be regularly updated and adjusted in line with the needs of Parties and implemented subject to the resources available.

The regional centres also continue to have an important role to play to support Parties. To this end, there are some matters to be clarified regarding the status of some centres, which no longer seem to be active.

We also welcome the activities undertaken to build capacity on preparedness and prevention of emergencies, in accordance with the Basel COP Decision adopted in 2015, and support the continuation of such activities in the future, using the funds available under the Basel Convention for this purpose, and in the context of the technical assistance plan for the next four years.

We look forward to further discussions in a contact group, in order to address all these matters in an omnibus decision on technical assistance under each Convention.

## FINANCIAL RESOURCES

### **BC Item 4 (f); RC Item 5 (e); SC Item 5 (g)**

The European Union and its Member States thank the Secretariat for the documents and the work undertaken. We would also like to thank the Global Environment Facility and the Secretariat of the Special Programme for their reports and their work in support of the implementation of the Conventions.

The implementation of the integrated approach to financing of the sound management of chemicals and waste remains essential. In this regard, we welcome in particular that the Special Programme has become operational to support institutional strengthening at the national level for the implementation of the three Conventions. The BRS Secretariat has played an important supporting role, which has facilitated the launch of first round of applications, the approval of a pilot phase of initial projects and the launch already of the second round of applications. These are concrete steps forward, which show the progress made in the implementation of this key element of the external financing component of the integrated approach.

The support offered by the GEF, as the financial mechanism of the Stockholm Convention, also needs to be emphasised. We generally support, with certain adjustments, the draft omnibus decision on the financial mechanism of the Stockholm Convention. And, with the launching of the GEF-7 Replenishment process, we look forward to a thorough and constructive discussion on the programme priorities for the next 4 years.

In addition, as agreed by the COPs in 2015, the GEF already takes into account possible co-benefits for the implementation of the Basel and Rotterdam Conventions within the revised focal area for chemicals and waste.

All of the above are concrete steps in the implementation of the external financing component of the integrated approach to financing.

We would like to emphasise the need to make further progress on the implementation of the other two components of the integrated approach, namely mainstreaming and private sector involvement. The Secretariat has provided, in its report on the implementation of the 2015 Decisions, valuable examples of mainstreaming and private sector involvement, which can assist Parties in making progress in this respect. Other relevant examples exist, such as the recent adoption by several Parties of legislation imposing taxes and levies in accordance with the polluter pays principle.

We look forward to further discussions in a contact group.



## ENHANCING COOPERATION AND COORDINATION AMONG THE BASEL, ROTTERDAM AND STOCKHOLM CONVENTIONS

### BC Item 5; RC Item 6; SC Item 6

The European Union and its Member States would like to thank the Secretariat for the work undertaken to enhance cooperation and coordination among the Basel, Rotterdam and Stockholm Conventions and for the documents prepared.

The review has clearly concluded that the synergies process and activities have allowed significantly better implementation, coherence and management of the three Conventions. Enhanced cooperation and coordination are no longer a set of separate activities to be undertaken but instead they are a fundamental pillar on which the work of the Conventions relies.

Our work should focus on the draft Decision on the synergies review as well as other joint draft Decisions on gender mainstreaming, the clearing house mechanism, preventing and combatting illegal traffic and trade in hazardous chemicals and wastes, moving from science to action, international cooperation and coordination and the *Memoranda of Understanding*.

We look forward to constructive discussions in a contact group.

In addition, we would like to present to the Stockholm and Basel Conferences of the Parties a proposal to strengthen the involvement of experts working under the Basel Convention in the work of the POPRC. Our proposal will be presented in a CRP under the relevant agenda items of the Stockholm and the Basel COPs.

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## OTHER MATTERS: MEMORANDA OF UNDERSTANDING WITH UNEP/FAO

### BC Item 8; RC Item 9; SC Item 9

The European Union and its Member States take note of the documents prepared by the Secretariat. We would like to recall that this is a long standing issue. Building on 2013 Decisions, the COPs requested, in 2015, the Executive Secretaries of UNEP and, in the case of the Rotterdam Convention, FAO to prepare draft Memoranda of Understanding for consideration and possible adoption at the 2017 COP meetings.

However, we see that, despite of these decisions, no draft MoUs have been presented for consideration by the COPs. In fact, the 2015 Decisions are not even mentioned in the draft Decisions prepared by the Secretariat.

Regarding the MoU under the Rotterdam Convention, in relation to the statement in document UNEP/FAO/RC/COP.8/26 that the FAO considers that there is no need for an MoU with the COP "*unless the COP to the Rotterdam Convention holds different views*", the response is the same one to a similar comment by FAO in preparation of the 2013 COP. It should be clear that the COP of the Rotterdam Convention, as reflected in its Decisions RC-6/15 and RC-7/14, adopted in 2013 and 2015, has already decided twice that such MoU is necessary. We would be grateful if this could clearly be reflected in the meeting report.

Indeed, the fact that there are separate arrangements between the UNEP ED and the FAO DG is appreciated. However, these arrangements do not replace the need for an MoU with the COP, which is the governing body of the Convention. Such MoU seems even more necessary in circumstances where there is a clear need to have transparent reporting and information on financial and budgetary procedures applied and the use of available funds. It should be recalled that the Convention and its Secretariat are autonomous and that the Convention procedures, rules and reporting mechanisms are to be followed.

We have several proposals regarding the draft Decision, *inter alia*, to avoid further delays on this matter and look forward to clarifying the state of play with the Secretariat, UNEP and FAO. We also look forward to discussions with other Parties in the contact group on joint issues.

## MATTERS RELATED TO THE IMPLEMENTATION OF THE ROTTERDAM CONVENTION: COMPLIANCE

### RC Item 5 (c)

Thank you Mr. President,

The EU and its Member States are of the view that the compliance mechanism of the Rotterdam Convention is the only key outstanding issue in relation to establishing the elements foreseen in the Convention.

We have an obligation, according to Article 17, to put in place a compliance mechanism as soon as practicable. We have reached a balanced text on a mechanism for the Rotterdam Convention, negotiated over many COPs, and finalized it at the last COP. It is ready for adoption. We see no need for further negotiations.

A compliance mechanism is key for the effectiveness of the Convention and a good tool especially for developing countries.

On all other issues, we have provisions and mechanisms in place, including in relation to finance. After several years of careful consideration in different fora we have succeeded in identifying and setting up further opportunities for financing.

We have ensured the opportunity for financing through the GEF, and we have elaborated an integrated approach to financing with three elements:

- mainstreaming - the integration in national policies and plans;
- industry involvement, and
- dedicated external financing.

The Special Programme to support institutional strengthening at the national level, set up by the UN Environment Assembly in 2014, delivered on the dedicated external financing element. It is up and running and has its second call for projects taking place right now.

Mr. President, we are here to move forward. We have heard the suggestion for a contact group, but we are convinced that can only bring us backwards and we would encourage you to consider other options.

## MATTERS RELATED TO THE IMPLEMENTATION OF THE STOCKHOLM: COMPLIANCE

### SC Item 5 (j)

Mr. President,

the EU and its Member States are of the view that agreeing on a compliance mechanism for the Stockholm Convention is of twofold importance: For the implementation of the Convention as such as well as to address the challenges we are facing today in relation to the sound management of chemicals and wastes, which is part of the Sustainable Developing Goals.

As it is the case for Rotterdam, also for Stockholm the compliance mechanism is the only key remaining issue in relation to establishing the elements foreseen in the Convention.

Having a compliance mechanism put in place is more important than ever. This is also underlined by the effectiveness evaluation of the Convention, which points to the need for a compliance mechanism to be established.

We did unfortunately not make progress at COP7, and we would not be inclined to work on the basis of the text elaborated at that meeting. We have a good basis in the COP 6 draft text, with some outstanding issues we need to solve, before we are ready to adopt a text.

One of the implications of this issue – and not the least important – is our credibility. Therefore, we encourage all delegations to join us in ensuring a positive outcome of this COP.

In conclusion we can support your proposal, Mr. President, to follow a Friends-of-the-President approach to solve this issue.

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**STATEMENTS DELIVERED AT THE THIRTEENTH CONFERENCE OF THE PARTIES  
TO THE BASEL CONVENTION**

**Matters related to the implementation of the Convention: Strategic issues**

**BC Item 4 (a) (i) Strategic framework**

The European Union and its Member States would like to stress the importance of the strategic framework in guiding the work under the Basel Convention.

We support the draft Decision and will work towards an increased feedback from Member States.

**BC Item 4 (a) (ii) Follow-up to the Indonesian-Swiss country led initiative to improve the effectiveness of the Convention: Addressing the entry into force of the Ban Amendment**

The European Union and its Member States would like to welcome the latest ratifications of the ban amendment. We hope the ban will soon enter into force.

With regard to the draft Decision, we suggest to add a call to Parties to ratify the Ban Amendment.

**BC Item 4 (a) (ii) Follow-up to the Indonesian-Swiss country led initiative to improve the effectiveness of the Convention: Developing guidelines on environmentally sound management**

The European Union and its Member States welcome with appreciation the excellent work done by the expert group on environmentally sound management. We support the adoption by the COP of the set of five practical manuals. These manuals will be useful in providing an understanding of some of the key areas relevant to ESM and will help to improve the implementation of ESM at national and local levels.

We would also like to welcome the work on the two new draft practical manuals on extended producer responsibility and financing systems and look forward to further work being pursued on these, as well as on some other items in the work programme of the expert group.

We support the extension of the mandate of the expert group. We have prepared some suggestions for changes in the draft Decision. With regard to the work programme of the expert group, we find that clarification is needed on some of the activities. We are looking forward to further discussions in a contact group.

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**BC Item 4 (a) (ii) Follow-up to the Indonesian-Swiss country led initiative to improve the effectiveness of the Convention: Developing guidelines on environmentally sound management: Legal clarity**

The EU and its Member States would like to welcome the excellent work done by the small intersessional working group on legal clarity. We support the adoption by the COP of the glossary of terms, as recommended by OEWG10. This is a very useful piece of guidance bringing clarity on key elements of the Convention. It will be an important help in making the distinction between waste and non-waste.

As regards the draft Decision, we have prepared some suggestions for changes.

With regard to the review of annexes to the Convention: we appreciate the work of Canada and the SIWG and welcome the report developed by Canada. We consider that this COP should be an important occasion to make progress, allowing us to move forward and complete work on at least Annex IV and related aspects of Annex IX at the next COP with the adoption of revised annexes. We think that an intersessional process should be established by this COP in order to formalise a proposal at least for the revision of these annexes that could be adopted at COP14.

We generally support the process as outlined in the elements for a draft COP Decision contained in para. 70 of document INF/10 and think a draft Decision could be prepared on that basis. The idea of a working group with open-ended participation to carry out this work until COP14 could be interesting to ensure a broad inclusion of Parties and acceptance of the work. However, the budgetary implications of the work, e.g. in relation to studies, need to be carefully assessed. We are looking forward to further discussions in a contact group.

**BC Item 4 (a) (iii) Cartagena Declaration on the Prevention, Minimization and Recovery of Hazardous Wastes and Other Wastes**

The EU and its Member States welcome the work done by the expert group to develop the guidance to assist Parties in developing efficient strategies for achieving prevention and minimization of the generation of hazardous and other wastes and their disposal. We support the adoption of the guidance by the COP because we consider it a mature document that could be useful on the ground. We have three minor comments on the document, for consistency reasons, that are contained in CRP 4.

The good practices and examples in the annex of the document are helpful in providing hands-on information for the reader. These good practices and examples should be the starting point for a structured information exchange via the Basel Convention website, where the good practices and examples in the annex of the document as well as further good practices and examples that are gathered in the next biennium can be brought together and shared. We have some suggestions on the draft Decision in this regard.

We are looking forward to further discussions in a contact group

## **Scientific and technical matters**

### **BC Item 4 (b) (i) Technical guidelines on e-waste**

The adoption of the e-waste guidelines at COP 12 was a significant step forward in protecting particularly vulnerable countries from risks associated with unwanted imports of e-waste and negative impacts on human health and the environment. It is paramount that the guidelines are now used in practice and that we continue to exchange our respective experiences from this application.

The EU and its Member States are grateful to the Secretariat for having compiled responses from parties on their application of the e-waste guidelines. As we are convinced of the importance of these guidelines, we are pleased that some parties have already started using them and we look forward to that more parties do so in the near future. The EU and its Member States have only recently transposed the e-waste guidelines into EU waste correspondents' guidelines, therefore some time is still needed to gain experience from their application.

We consider it primarily important to gain more experience from the application of these guidelines. We have prepared some suggestions on the draft Decision in order to elaborate on the process after COP13.

### **BC Item 4 (b) (i) Technical guidelines on incineration**

The EU and its Member States welcome that a survey on documents related to ESM has been conducted. Taking into account the outcome of the survey, we are hesitant as regards the need for updating of these guidelines. We would be interested to hear from other Parties especially from those by whom the guidelines are used and are considered an important tool. We believe that if updating these guidelines would be considered useful, for example because existing guidance may refer to obsolete technologies, it would be necessary to consider the priority of this work in the context of the whole work programme for the next biennium.

### **BC Item 4 (b) (iii) Classification and hazard characterization of wastes**

The EU and its Member States would like to express its appreciation for the work carried out by the Secretariat and the report on the status of the work of the WCO on the Harmonized System related to the Basel Convention. We think that the Secretariat should continue its work in this regard in order to facilitate the inclusion of wastes covered by the Basel Convention in the Harmonized Commodity Description and Coding System.

### **BC Item 4 (b) (iv) National Reporting**

The EU and its Member States would like to express its appreciation for the work carried out by the small intersessional working group in developing the manual for completing the format for national reporting and the user manual for the electronic reporting system. We also want to thank to the Secretariat for continuing to develop and updating the system. We have submitted CRP.3 and CRP.5 containing revisions of document 9/Add.2 and corresponding revisions of document INF/20.

We would also like to express our appreciation to the Secretariat for the practical guidance on the development of inventories of used lead acid batteries, of electrical and electronic waste and of waste oils.

With regard to additional practical guidance on the development of inventories, we suggest a cautious approach; before work on further waste streams is started, we think that experience in using the guidance contained in doc INF/22 should be awaited.

We support the draft Decision with some suggestions contained in CRP.16 and we want to share and discuss them with interested Parties and the Secretariat in order to finalise the draft Decision.

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## **Legal, compliance and governance matters**

### **BC Item 4 (c) (i) Committee administering the mechanism for promoting, implementation and compliance**

The EU and its Member States would like to thank the committee administering the mechanism for promoting implementation and compliance (ICC) for its work.

We have some concerns relating to its work and would like to emphasise the need for the ICC to focus its activities within its programme of work and within its mandate and capacity as a subsidiary body, and avoiding that actions undertaken exceed its mandate and capacity. We would like to further discuss these issues in the contact group.

We hope that the guidance on the implementation of the Convention provisions on illegal traffic can be adopted at this COP. We have prepared some suggestions to improve the document contained in CRP 17.

We have prepared suggestions on the changes of the reporting format for national reporting contained and consequential changes in other formats in document 9/Add.2 contained in a CRP, as well as corresponding changes of the reporting manual that will be dealt with under another agenda item.

We think it may be premature to establish a small intersessional working group on electronic approaches to the notification and movements documents and believe that further discussion on this issue is necessary.

We suggest some changes for the Decision including the programme of work of the Committee which will be issued in a CRP.

### **BC Item 4 (c) (ii) National legislation, notifications, enforcement of the Convention and efforts to combat illegal traffic**

The EU and its Member States would like to express its appreciation of the implementation and enforcement activities undertaken by the Secretariat and encourages the Secretariat to further develop those activities. We support the draft Decision and have prepared some changes, which we are happy to share with you. The rationale of these changes is to ensure consistency between this Decision and the COP12 Decision while keeping in mind the draft Decision on “Synergies in preventing and combating illegal traffic and trade in hazardous chemicals and wastes”.



## **International cooperation, coordination and partnerships**

### **BC Item 4 (e) (i) Basel Convention Partnership Programme**

#### **Pace**

The EU and its Member States would like to thank for the reporting back of the work carried out by the Partnership Working Group (PACE). We also would like to express our appreciation to this Partnership. We support the disbanding of the Working Group. We would furthermore welcome any constructive further work undertaken by Basel Convention Regional Centres in implementing further actions regarding e-waste in general and encourage them to take the lead in this work.

In conclusion, Mr. President, the EU and its Member States support the draft Decision.

#### **Environmental network for optimizing regulatory compliance and illegal traffic**

The EU and its Member States want to thank the Secretariat and the chairs for the reporting back on the ENFORCE activities since the 2015 meetings of the Triple COPs. We welcome the work undertaken by the network and are of the view that it should be continued.

#### **Household waste**

The EU and its Member States welcome the progress made towards the establishment of the Household Waste Partnership under the Basel Convention and support its establishment. We have issued a CRP on the terms of reference contained in Annex II to document INF/33 because we think that the terms of reference should be adopted by the COP. This CRP has been uploaded on the website under number 6. We have also suggested some changes to the draft Decision. These suggestions are reflected in CRP 18.

### **BC Item 4 (e) (ii) International cooperation and coordination**

#### **Environmentally sound dismantling of ships**

The EU and its Member States clearly recognize the importance and the urgency of improving the recycling of ships in an environmentally sound manner globally. We can accept to take note of the information provided.

#### **Cooperation with IMO**

The EU and its Member States welcome the work undertaken and think that the manual should be adopted. We hope that it will contribute to improvements on the ground. We have prepared some suggestions to improve the manual contained in CRP 7.

## **BC Item 4 (g) Operations and work programme of the Open-ended Working Group for the period 2018-2019**

First of all, Mr. President, the EU and its Member States agree with you that the work programme should be made consistent with the COP Decisions taken under the relevant agenda items.

We listened with great interest to the intervention of Norway, in which it was proposed to insert plastic marine litter in the work programme. We support this and took note that other countries supported this as well. We took a look at the CRP and at first glance the suggestions made in that document seem to coincide with the views we have on this matter. We have additional text for the draft Decision and we are happy to discuss this further with Norway and others to elaborate on the draft Decision.

As regards the organization of the OEWG, we think that the arrangements of the last OEWG meeting was successful and should in principle be continued. As experience at OEWG10 has shown, two days of plenary sessions with simultaneous interpretation seem sufficient.

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**STATEMENTS DELIVERED AT THE EIGHT CONFERENCE OF THE PARTIES  
TO THE ROTTERDAM CONVENTION**

**Matters related to the implementation of the Convention**

**RC Item 5 (a) Status of implementation**

**General issues related to the implementation of the Convention and definition of the term "pesticides"**

The European Union and its Member States would like to thank the Secretariat for the report on implementation of the Convention.

We would like to welcome the three new Parties to the Convention - Tunisia, Sierra Leone and Malta - and congratulate them for the decision to join our PIC family.

We encourage the new Parties and all other Parties as well, if not yet done, to quickly nominate a DNA and to keep the DNA contact details up-to-date. DNA contact details are essential for the communication amongst Parties and should therefore always be up-to-date.

When looking at the status of implementation, and in particular the submission of import responses, we are happy to see a clear improvement with an overall rate of 75% of submitted import responses compared to 62% in the previous reporting period. In particular, we would like to congratulate Gabon and Armenia for having submitted 35 and 27 import responses, respectively, since last COP. Still, we would like to encourage all Parties to submit missing import responses as soon as possible. The submission of import responses is crucial for the protection of all countries and in particular developing countries from unwanted imports of dangerous chemicals. The Convention only provides protection for one year, in the absence of an import response. After that period, chemicals listed in Annex III can be exported to countries that have not submitted an import response without any protective measures.

We agree in principle to the draft Decision proposed in document RC COP.8/4. However, due to the numerous requests for information on the impact of listing on the chemicals market, we suggest adding a request for the Secretariat to collect relevant data. Please find our proposal in a CRP, which if I understand correctly has already been uploaded on the BRS website.

Allow me, Mr. President, to also address "pesticides":

The EU and its Member States would like to thank the Secretariat for the report on the survey on the definition of the term "pesticide" applied by Parties.

The survey shows, that Parties apply different definitions of the term "pesticides", ranging from a narrow definition that is limited to agricultural pesticides to a broad definition as proposed in the FAO code of conduct.

We would like to emphasise that proper implementation of the import responses submitted by Parties is only possible when knowing the definition of the term "pesticides". Therefore, it is very important that all Parties inform the Secretariat on the definition applied in their country. So far, only 29 Parties replied to the survey and, therefore, we would like to encourage all Parties that did not yet do so to participate in the survey.

Considering the weak participation in the survey and the still missing analysis of the responses and description of the implications of the use of different definitions for the term "pesticides", including options to address them, we suggest continuing the work.

Therefore, the EU and its Member States propose that the Secretariat carries out further work in order to provide complete information on the existence of various definitions of the term "pesticides" and the implications resulting from those differences for the implementation of the Convention, including options to address this. Please find a draft Decision addressing our suggestion in a CRP.

We would very much appreciate engaging with other Parties in further discussions on this matter, including on our CRP 9.

### **Proposal for activities to increase notifications of final regulatory action**

The European Union and its Member States would like to thank the Secretariat for carrying out the activities aiming at increasing the number of notifications of final regulatory action to ban or severely restrict a chemical and for the report on them.

We are content to note a substantive increase in the number of notifications of final regulatory action. However, further efforts are needed since the number of countries submitting notifications is still very low.

The objectives of the Convention can only be achieved when more notifications of final regulatory action are submitted by Parties and progress in adding chemicals to the PIC procedure is made. Not doing so undermines the effectiveness of the Convention in providing information for Parties.

We call upon all Parties, including the members of OECD, to submit notifications of final regulatory action when banning or severely restricting a chemical.

We see the obligation to notify final regulatory actions as a priority for capacity building and would welcome broader use of webinars and online tools as means since they are an effective vehicle for training and since they are cost efficient.

In this context, we would also be interested in feedback on the final regulatory action evaluation toolkit and would like to encourage the use of that toolkit for national decision-making and the submission of notifications of final regulatory action.

In addition, we would like to encourage all Parties to more actively use the IOMC toolbox, which is a very useful tool assisting countries in achieving sound management of chemicals, including the implementation of the Rotterdam and other Conventions on chemicals.

Proposals for the listing of Severely Hazardous Pesticide Formulations in Annex III are equally important and we encourage developing countries to submit those proposals in accordance with Article 6, if they experience problems caused by that SHPF.

In order to support developing countries in this task, we suggest amending the draft Decision outlined in document RC/COP.8/5.

The EU and its Member States therefore support the adoption of the Decision outlined in document RC/COP.8/5 with the suggested changes outlined in CRP 7.

### **Exports, export notifications and information exchange**

The EU and its Member States thank the Secretariat for carrying out the survey on the implementation of Articles 11(2), 12 and 14 and for the report on that survey.

We regret that only 19 Parties replied to the survey, which results in an incomplete picture on the implementation of these Articles.

We note the low rate of acknowledgements of receipt of export notifications received by exporting countries, which was only 70% and confirms our experience. Considering the importance of that information exchange and the administrative burden, including the obligation of exporting Parties pursuant to Article 12(4) to send a second export notification in the absence of an acknowledgement of receipt within 30 days, we would like to urge all importing parties to comply with their obligation and recall that the acknowledgment of receipt is requested to ensure that the notification has been received by the competent person in the importing Party. An acknowledgement of receipt has no further implications and is not a consent to export.

We also experienced a low rate of response when implementing Article 11(2), which we apply without any time limit and not only to chemicals listed in Annex III but also to other hazardous chemicals that are banned or severely restricted in the EU, by requesting the explicit consent of importing countries prior to export. The response rate to requests for explicit consent was only 52%, which is regrettable since importing Parties miss the opportunity to actively contribute to this exchange of information that offers them protection against unwanted imports of hazardous chemicals.

Considering the importance of exchange of information according to the Articles, we think that efforts should be continued by all Parties and the Secretariat to implement those provisions or to facilitate their implementation.

Therefore, the EU and its Member States would like to propose the adoption of a decision as outlined in CRP 8. That decision aims at strengthening implementation of Articles 11(2), 12 and 14, which would increase the safety of the international trade in hazardous chemicals, the information flow and transparency.

In addition, we propose addressing the growing problem of illegal trade in chemicals in this Decision. Illegal trade is addressed as a cross-cutting issue at this triple COP since it is relevant for all three Conventions. Since proper implementation of Articles 11 and 12 is an important contribution to the fight against illegal trade, we suggest reflecting it as well in this Decision.

## **RC Item 5 (b) Listing of chemicals in Annex III**

### **5 (b) (i) Consideration of chemicals for inclusion in Annex III**

#### **Chemical Review Committee: developments for action by the Conference of the Parties**

The European Union and its Member States agree to the confirmation of the new experts designated for the Chemical Review Committee. We congratulate them with their formal appointment once the names are inserted in the document.

We would like to thank all outgoing experts for their input to the work of the Chemical Review Committee. Their contribution and dedication was a very important element in ensuring the successful work of the Committee.

We also would like to thank Mr Jürgen Helbig for chairing the 11<sup>th</sup> and 12<sup>th</sup> meeting of the Chemical Review Committee.

We thank the Secretariat for holding the orientation workshop for new members of the Chemical Review Committee and urge Parties to provide resources in support of the Secretariat's request to continue organising such workshops since we consider them very useful for the work of the Committee.

The EU and its Member States support the adoption of the draft Decision as outlined in document RC/COP.8/7, except for the fourth paragraph, where the alternative text provided in ALT 4 is supported. We think it is more appropriate to request the CRC to identify an interim chair amongst its members, who would formally be elected by the Conference of the Parties at its ninth meeting. Therefore, we suggest deleting the text in the first square brackets and using the text of ALT 4.

#### **Recommendations on listing new chemicals**

##### **5.(b) (i) (a) Fenthion 640 ULV (SHPF)**

The European Union would like to thank Chad for submitting the proposal to list fenthion 640 ULV as a severely hazardous pesticide formulation. We welcome the proposal and we are confident that the listing will help other developing country Parties to better manage the risks related to the use of those formulations through information exchange, and national decisions on use, including import.

The European Union again strongly supports the inclusion of fenthion 640 ULV as a severely hazardous pesticide formulation in the PIC procedure. It is clear that the proposal from Chad fully meets the criteria of Annex IV and that all procedures have been complied with.

It is important to remember that inclusion in the PIC procedure does not in any way constitute an international ban or an invitation to Parties to ban a chemical's use.

Please also note that the Convention does not require two countries to have a problem with the formulation nor does it forbid listing if another country can use the formulation safely.

## **5.(b) (i) (b) Trichlorfon**

It's a pleasure to take the floor just after the positive message from India on regulating trichlorfon nationally. The European Union would like to thank the Chemical Review Committee for its work in reviewing the notifications of final regulatory action on trichlorfon and in producing this Decision Guidance Document. As at COP7, the European Union again strongly supports the inclusion of trichlorfon in the PIC procedure for its use as pesticide. It is clear that the notified regulatory actions fully meet the criteria of Annex II and that all procedures have been complied with.

## **5.(b) (i) (c) Liquid formulations containing paraquat dichloride (SHPF)**

The European Union would like to thank the Chemical Review Committee for its work in producing this Decision Guidance Document. We would also like to thank Burkina Faso for submitting the proposal to list a liquid formulation containing paraquat dichloride at or above 276 g/L. We recognise that this proposal is based on real problems experienced when using that formulation under the national conditions of use in Burkina Faso.

The European Union again strongly supports the inclusion of liquid formulations containing paraquat dichloride at or above 276 g/L as a severely hazardous pesticide formulation in the PIC procedure.

We kindly ask CropLife to submit to the Secretariat the evidence on which their intervention is based.

## **RC Item 5 (b) (i) (d) Chrysotile asbestos**

On behalf of the European Union I would again like to repeat our statements already made at COPs 3, 4, 5, 6 and 7. We strongly support the inclusion of chrysotile asbestos in the PIC procedure. All the criteria for inclusion have been met and all the procedures have been followed correctly and hence the only logical outcome of our discussion should be listing.

Turning to those who consider that they can manage chrysotile asbestos safely, we would like to repeat that you will be free to do so after the listing and those exporting the chemical can submit relevant information. The continued failure to list chrysotile undermines the very credibility of the Convention and contributes to the wrong interpretation that the Convention bans the use of chemicals some Parties may still wish to use.

The whole purpose of the PIC procedure is information exchange on hazardous chemicals before they are traded for use in the category for which they are listed so that Parties can decide for themselves whether or not to allow this use.

The European Union would like to reiterate that the purpose of the Rotterdam Convention is not to carry out a risk assessment or a comprehensive scientific assessment of the available data, including potential substitutes. The Convention works on the basis of notifications of final regulatory action to ban or severely restrict a chemical received from Parties and checks those notifications against the criteria set out in Annex II. If those criteria are met, the chemical is proposed for listing in Annex III by the CRC and should be listed by the COP.

Mister President, we were pleased to hear the strong support from several Parties for listing chrysotile asbestos, and we hope that we will reach consensus on this issue. We note that very few Parties oppose the listing of chrysotile asbestos and we hope that the reasoning put forward for this position can be discussed in greater detail in a small group. We fully respect all Parties but we need a frank discussion about our collective credibility. The European Union and its Member States are firm believers in multilateral processes which protect the weak against powerful vested interests and we hope others are as keen as we are to find a solution to this long-running issue of which we can all be proud.

#### **RC Item 5 (b) (i) (e) Short-chain chlorinated paraffins (SCCP)**

The European Union would like to thank the Chemical Review Committee for its work in reviewing the notifications of final regulatory action on short-chain chlorinated paraffins and in producing the draft Decision guidance document.

We strongly support the inclusion of short-chain chlorinated paraffins in the PIC procedure for its use as industrial chemical. As already was stated by Australia and Thailand, it is clear that the notified regulatory actions fully meet the criteria of Annex II.

#### **RC Item 5 (b) (i) (f) Tributyltin compounds**

The European Union would like to thank the Chemical Review Committee for its work in reviewing the notifications of final regulatory action on tributyltin compounds and in revising the draft Decision guidance document.

We strongly support the inclusion of tributyltin compounds in the PIC procedure for its use as industrial chemical. It is clear that the notified regulatory actions fully meet the criteria of Annex II.

#### **RC Item 5 (b) (i) (g) Carbofuran**

The European Union would like to thank the Chemical Review Committee for its work in reviewing the notifications of final regulatory action on carbofuran and in producing the draft Decision guidance document.

We strongly support the inclusion of carbofuran in the PIC procedure for its use as pesticide. It is clear that the notified regulatory actions fully meet the criteria of Annex II.

#### **RC Item 5 (b) (i) (h) Carbosulfan**

The European Union would like to thank the Chemical Review Committee for its work in reviewing the notifications of final regulatory action on carbosulfan and in producing the draft Decision guidance document.

We strongly support the inclusion of carbosulfan in the PIC procedure for its use as pesticide. It is clear that the notified regulatory actions fully meet the criteria of Annex II. Furthermore, I would like to emphasize the following three issues: 1) listing is no ban; 2) risk evaluation as defined in the Rotterdam Convention is not equal to an EU risk assessment, 3) EU industry exports more than 8000 times per year of listed substances.



## **Article 16 Proposed Amendments**

### **RC Item 5 (b) (ii)**

The European Union and its Member States thank the proponent Parties for their proposal to amend Article 16 of the Rotterdam Convention, which we have considered with interest.

We believe that relevant and effective decisions have already been taken in various fora to foster the provision of technical and financial assistance for implementation of the Rotterdam Convention, including Decisions RC-7/8, BC-12/18, and SC-7/22.

In line with Decision RC-7/8, it should be recalled that the support provided to countries by the GEF already takes into account, subject to its mandate, possible relevant aspects of the Rotterdam Convention within the revised focal area for chemicals and waste.

Furthermore, the European Union and its Member States remain committed to support developing countries in accordance with the provisions of the Rotterdam Convention and relevant COP decisions on the implementation of the integrated approach to financing.

The proposed amendment would entail a complex and difficult process, which is not expected to bring any concrete added value. In addition, the amendment would not be in line with the mandate and procedures of the GEF and would therefore require amendments to the GEF instrument, which would entail lengthy and difficult negotiations.

In view of these considerations, we believe that is important to focus at present on making full and efficient use of existing instruments in implementation of the integrated approach to financing.

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### **RC Item 5 (c) Compliance**

Dear Mr. President

Thank you for all your efforts in promoting the adoption of a compliance mechanism.

First of all, we would like to convey our concern regarding the process and well as the content.

The opening up of clean text agreed at previous COP's is a very disturbing precedent, and questions the willingness of delegations to negotiate in good faith. We had a balanced text, which is now opened to accommodate only the views of a limited group of Parties.

Regarding the text itself:

We have concerns that the terminology has been changed in a way which makes it different from the terminology and wording used in other compliance mechanisms, and which sometimes also makes the text unclear.

Further, the mechanism is now practically entirely facilitative, with only a possibility for agreeing on further measures if decided at COP11, which is not likely to happen. Since we find that stronger measures should be included, in order to address all kinds of cases, for developed as well as developing Parties, this is clearly a weakness of the draft text.

Finally, we see elements which are repetitive and delaying the procedures and the facilitation or measures to be decided, due to long hearing periods for parties whose compliance is in question.

However, in order to move forward and acknowledging the will amongst many Parties to do so, we will be willing to consider adopting the text, if all other Parties agree. Otherwise, we trust that you will not disclose our willingness to do so.

It is our clear understanding that the text is not subject to further negotiation, and will be taken off the table and not forwarded to the next COP, if not agreed.

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**STATEMENTS DELIVERED AT THE EIGHT MEETING OF THE CONFERENCE OF  
THE PARTIES TO THE STOCKHOLM CONVENTION**

**Matters related to the implementation of the Convention**

**Measures to reduce or eliminate releases from intentional production and use**

**SC item 5 (a) (i): Exemptions**

The European Union and its Member States would like to thank the Secretariat for the report on implementation of specific exemptions and acceptable purposes and other exemptions.

We are content that the number of specific exemptions that are registered and the number of Parties having registered those specific exemptions is decreasing. This shows that the efforts of Parties to replace POPs by safer alternatives are bearing their fruits. We would like to strongly encourage all Parties to continue those efforts in order to replace all POPs by safer alternatives as soon as possible.

The EU and its Member States can support the adoption of a decision as outlined in document POPS/COP.8/4.

**SC Item 5 (a) (ii): DDT**

The European Union and its Member States would like to thank the DDT Expert Group for their work to date as well as their recommendations, which recognise that there is a continued need for DDT in specific settings for disease vector control where effective or safer alternatives are still lacking. However, in view of the negative impacts on human health and the environment of exposure to DDT, we would like to encourage all Parties to make further efforts to replace DDT with less hazardous alternatives or methods.

We would like to congratulate the African region for the formidable progress made, while being mindful of the vector resistance issues. We would also like to congratulate India for anticipated termination of the use of DDT for Leishmaniasis vector control in the course of this year.

We support the decision proposed by the Secretariat in document POPS/COP.8/5 and urge Parties to improve the reporting on DDT, to increase the national capacity for research and resistance monitoring, and to upscale existing alternatives to DDT.

The European Union and its Member States would like Parties to consider an addition to paragraph 3(b) of the proposed decision, for all Parties to commit to make efforts towards ensuring the long term sustainability of vector programmes.

The revised paragraph 3(b) would read as follows: "Ensuring adequate national capacity for research, resistance monitoring and implementation for pilot testing and scaling up of existing alternatives to DDT as well as ensuring the long-term sustainability of vector control programmes.

### **SC Item 5 (a) (iii): Polychlorinated biphenyls**

The European Union and its Member States would like to thank UNEP chemicals, the PCB Elimination Network and the Secretariat for their work and for the reports and welcome that the work and the report produced by the PCB Elimination Network have been included in the work of the Effectiveness Evaluation Committee.

We would like to reiterate the Convention's objective regarding PCBs, which is to eliminate the use of PCBs in equipment by 2025 and make determined efforts to destroy liquids and equipment with PCBs by 2028. The EU has internal legislation on PCBs since 1976 and has made significant progress towards elimination and sound disposal of PCBs.

We agree, as outlined in the draft Decision proposed in document POPS/COP.8/6, that the "Parties urgently need to develop and implement rigorous plans for the environmentally sound management of polychlorinated biphenyls throughout their life cycles, including their elimination and destruction, to meet the goals of the Stockholm Convention.

However, we think that this is not sufficient and suggest an amendment to paragraph 3 of the proposed Decision in order to underline the need for Parties to intensify their efforts to eliminate PCB and meet the 2025/2028 goals of the Stockholm Convention.

As regards the establishment of a small inter-sessional working group to prepare a report on progress towards the elimination of polychlorinated biphenyls we suggest that it may be more efficient if this is done by the Secretariat instead. Therefore, we suggest deleting paragraphs 6, 7 and 8 and amending paragraph 9 accordingly.

We prepared a CRP in order to facilitate the presentation of our comments. Please find the suggested changes in a CRP.

### **SC Item 5 (a) (iv): Brominated diphenyl ethers**

The European Union and its Member States take note of the report by the Secretariat on the challenges encountered by Parties during the elimination of POP-BDEs.

We think it is of utmost importance to prevent the export of articles that contain or may contain brominated diphenyl ethers to countries that lack the capacity to dispose of such wastes in an environmentally sound manner and would like to encourage all Parties to take the necessary measures.

We strongly support the recommendation of the effectiveness evaluation report to significantly improve reporting on POP-BDEs, including the provision of quantitative information on articles containing POP- BDEs, including in recycling and waste streams.

We would like to emphasise that the need for exemptions should be carefully considered since we need to make progress in the elimination of POP-BDEs.

The EU and its Member States support the draft Decision included in document POPS/COP.8/7, with some changes contained in our CRP; we think for example that it should be taken into account that Parts IV and V of Annex A only apply to Stockholm Parties that have made use of these exemptions.

### **SC Item 5 (a) (v): Perfluorooctane sulfonic acid, its salts and perfluorooctane sulfonyl fluoride**

The European Union and its Member States would like to thank the POPRC for revising the guidance on alternatives to PFOS. We consider that guidance very useful and would like to encourage all Parties to use it as extensively as possible.

We would also like to thank the Secretariat for the work and, subject to the availability of resources, support its continued work on supporting Parties to build their capacity to strengthen their management of PFOS and to introduce alternatives.

We consider capacity building for sound management of PFOS and the introduction of alternatives very important and would like to encourage the regional centres to be more active in this area and to support Parties in this regard. Therefore, we propose amending the proposed Decision by adding the following paragraph: "Encourages the regional centres to provide support to Parties to improve their technical and legal capacity for the sound management of PFOS and the introduction of alternatives".

We agree to the proposed Decision outlined in document POPS/COP.8/8.

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### **SC Item 5 (b): Measures to reduce or eliminate releases from unintentional production**

The European Union and its Member States would like to thank the Secretariat for the work and would like to express appreciation for the work of the experts on the Toolkit and BAT/BEP guidelines and guidance.

The EU and its Member States support the conclusions and recommendations made by the experts following their meetings in October 2015 and 2016.

We concur in particular with the recommendation to ensure the sufficient involvement of experts in any further work and are therefore pleased to announce the continued active involvement of experts from the EU.

The EU and its Member States support the proposed Decision outlined in document POPS/COP.8/9.

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### **SC Item 5 (c): Measures to reduce or eliminate releases from wastes**

The EU and its Member States would like to express their appreciation for the work undertaken under the Basel Convention to update and develop the Technical Guidelines.

We support the draft Decision with some changes; we are in particular not sure whether it is feasible to develop data collection mechanism as outlined in paragraph 8.

We will provide the Secretariat with our drafting suggestions reflecting this in writing.

## **SC Item 5 (d): Implementation plans**

The European Union and its Member States wish to emphasise the importance of the implementation plans and strongly urge all Parties to submit any missing or delayed plans. We congratulate the Secretariat for the work done on revising and preparing new draft guidance documents, while cautioning that simplification and user-friendliness remains of importance.

We support the proposal for the Secretariat to develop an electronic template for the quantitative information included in national implementation plans in a harmonised manner with the reporting under Article 15 of the Convention, as recommended in the executive summary of the report on the effectiveness evaluation of the Convention (POPS/COP.8/22/Add.1).

We recommend that the Secretariat explores alternative approaches to gather information that would complement reporting, such as information harvesting through open data, a process whereby institutions seek out and obtain information from public information sources at the national level. Those approaches may also be helpful to make reporting more efficient and effective.

We welcome that the Basel bodies should be invited to review waste-related aspects of three draft guidance documents, but think that the deadline should be at least a few weeks after OEWG11.

We agree with the elements of the proposed action of document POPS/COP.8/11. However, we have minor comments on paragraph 7 of the proposed Decision, including that the deadline of 30 June 2018 is not considered appropriate since this deadline should be a few weeks after the Basel OEWG11, for which dates are not yet known. This morning we have provided the Secretariat with our comments in writing.

We hope that this will facilitate your work in preparing a revised draft Decision for adoption in this house.

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## **SC Item 5 (e): Listing of chemicals in Annex A, B or C to the Convention**

The European Union and its Member States would like to thank the Secretariat for the activities undertaken and the reports provided.

We agree to the confirmation of the appointment of the new experts designated for the POPRC.

We would like to thank all outgoing experts for their input to the work of the POPRC. Their contribution and dedication was a very important element in ensuring the successful work of the POPRC.

We would also like to thank Ms Moreira (Brazil) for the very good job she did when chairing the 11<sup>th</sup> and 12<sup>th</sup> meeting of the POPRC.

We support the draft Decision as outlined in document POPS/COP.8/12; we would however like to suggest some amendments.

The EU and its Member States would like to stress the importance of strengthening the involvement of experts working under the Basel Convention in the work of the POPRC in order to receive improved information on waste and disposal issues. Therefore, we suggest inviting the POPRC to strengthen the involvement of experts working under the Basel Convention. In addition, we suggest requesting the Secretariat to facilitate the involvement of those experts.

We have prepared some suggestions in this regard, both for the Stockholm Decision on listing, which we are addressing now, and the Basel Decision on technical guidelines on POPs, which was already addressed under the Basel COP.

The proposed amendments are outlined in our CRP and we are happy to discuss them with you.

### **Recommendations on listing of chemicals in Annex A, B or C to the Convention**

#### **Decabromodiphenyl ether (BDE-209)**

The European Union welcomes the proposal from the POPRC to list decaBDE.

We agree with the need for specific exemptions for the production and use of decaBDE in spare parts for the automotive industry.

In addition, the European Union can support the request for specific exemptions for the use of decaBDE in the production of aircrafts and spare parts for aircrafts.

We are happy to discuss the details of the specific exemptions needed in a contact group

#### **Short-chain chlorinated paraffins (SCCPs)**

The European Union supports the listing of SCCPs in Annex A. SCCPs are already listed in our Regulation (EC) 850/2004 implementing the Stockholm Convention and, therefore, production, placing on the market and use is already prohibited in the EU.

The European Union as Norway supports limiting the presence of SCCPs in MCCPs, as recommended by the POPRC.

#### **Hexachlorobutadiene (HCBd)**

The European Union supports the listing of hexachlorobutadiene in Annex C since unintentional releases of HCBd have been identified by the POPRC as a concern.

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### **SC Item 5 (h): Reporting pursuant to Article 15**

The European Union and its Member States would like to emphasise the importance of reporting as a crucial data source for the operation of the Convention, not least for the effectiveness evaluation.

We support the further work proposed by the Secretariat, including to continue to improve the electronic reporting system in time for it to be used for the submission of the fourth report pursuant to Article 15 as well as the development of an electronic template as indicated in relation to Item 5(d) of the Agenda.

We wish to clarify with the Secretariat what additional benefit the inter-sessional working group will bring in developing a manual considering that the Secretariat has already developed a users' manual for the improved electronic reporting system.

We agree in principle to the proposed action outlined in Section III of document 8/20, pending the clarification on the inter-sessional working group.

### **SC Item 5 (i): Effectiveness evaluation**

The European Union and its Member States thank the Secretariat, the regional organization groups and the global coordination group for the work thus far and, subject to the availability of resources, encourage its continued work on supporting the activities of the Global Monitoring Plan.

We support the proposal of the revised terms of reference and mandate of the regional organisations groups and the global coordination group as set out in the Annex to document 8/21.

The EU and its Member States would like to thank the Effectiveness Evaluation Committee for the comprehensive work carried out and the report presented, which covers the full spectrum of measures provided for in the Stockholm Convention.

We would like to emphasise the point, in the proposed Decision in document 8/22, that the mechanisms required to support Parties in meeting their Convention obligations have all been put in place, with the exception of procedures and mechanisms on compliance pursuant to Article 17. Considering that inadequate implementation is the key issue identified in the effectiveness evaluation, the EU and its Member States urge Parties to pursue the obligation specified in Article 17.

We support the proposal for the Secretariat to revise the framework of the effectiveness evaluation and we agree to the proposed Decisions outlined in Section III of documents 8/21 and 22.



## STATEMENT FROM THE EUROPEAN UNION AND ITS MEMBER STATES

### CLOSING STATEMENT

The EU and its Member States came to Geneva with a commitment, shared with others, to progress the effectiveness of the Conventions in a spirit of cooperation and openness.

We would like to thank the Secretariat for the preparation, organisation and strong support during these 3 COPs, and the Presidents, together with the Contact Groups Co-Chairs and Co-Facilitators, for managing a broad agenda with open and excellent participation. We also would like to thank the interpreters to help us to understand one another.

As this Triple COP has emphasised, the sound management of chemicals and waste is an essential and crosscutting element of the 2030 sustainable development agenda and we need to further strengthen our efforts to work together with all relevant international organisations in order to meet the 2030 goal.

We believe that the Decisions we adopted are more robust as a result of everyone's involvement and will contribute to more effective delivery of the three Conventions objectives. We also believe that the Decisions not adopted give rise to much concern.

The EU and its Member States join in with others to express great satisfaction with the progress made under the **Rotterdam and the Stockholm Convention** as regards the listing of chemicals. The addition of those new chemicals will increase the level of protection of human health and the environment provided by both Conventions.

Despite those positive results we are deeply concerned and disappointed that 4 listings failed, including the well-known chrysotile asbestos and paraquat formulation. Rotterdam is about sharing information to improve the management of chemicals and it is about solidarity. To have a few Parties blocking listing by asserting that the risks are controlled domestically deprives many countries of the PIC mechanism, which would help them manage the chemicals more safely. It is a pity that the position taken by a few Parties prevent that the objectives of the Convention are met by all others.

We are extremely disappointed that it was not possible to make any progress on the compliance mechanisms for both, the Rotterdam and the Stockholm Convention. On the contrary, we are moving backwards and it seems that we are far away from any agreement and our credibility is at stake!

Turning to the **Basel COP**, we acknowledge that a lot of progress has been made.

We are very pleased with the adoption of several key documents. The glossary of terms represents an important step in clarifying key terms in the Convention on the distinction between waste and non-waste. Practical manuals on the environmentally sound management of waste will be the core part of an ESM toolkit contributing to achieve the UN's sustainable development goals. Guidance on waste prevention is expected to help countries to develop efficient strategies on waste prevention. We are also pleased with the adoption of new technical guidelines on POPs waste and with enhanced cooperation between experts under Basel and Stockholm Conventions. And after this COP, we look forward to progress on the review of Annexes IV and related aspects of Annex IX as well as of Annex I and III which we expect will lead to further legal clarity. We are also keen to start working on the newly established household waste partnership and on new issues, such as plastics waste and marine litter.

To implement our conventions requires a Secretariat with the resources needed to do its job - in other words an adequate and affordable **budget**. We thank Parties for helping the budget contact group to reach an outcome which we believe should satisfy all Parties.

We would like to leave this meeting hoping that in future meetings we will all bear in mind the constructive and cooperative atmosphere which has generally characterised our work in the past. We hope that this can be extended through intensified informal contacts for example through electronic means between COPs so as to gain greater understanding of the issues we are all addressing together. We need long term engagement of ALL Parties to make a real difference to human health and the environment at the national, regional and global levels.

Last but not least, allow us to thank in particular Mr. Matthias Kern, who has been deeply committed in the work of the Secretariat as a Senior Policy Officer for many years and is now attending the last Conferences of the Parties in this capacity before leaving for retirement.

Thank you very much, Mr. President.