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INFORMATION NOTE

From: General Secretariat of the Council

To: Delegations

Subject: Fourteenth meeting of the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal (Geneva, 29 April - 10 May 2019)

Ninth 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, 29 April - 10 May 2019)

Ninth meeting of the Conference of the Parties to the Stockholm Convention on Persistent Organic Pollutants (Geneva, 29 April - 10 May 2019)

- Compilation of statements

Delegations will find in the [Annex](#), for information purposes, a compilation of 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

Distinguished Presidents, Delegates, Ladies and Gentlemen,

The European Union and its Member States would like to thank the Presidents of the three Conferences of the Parties, the respective Bureaux and the Secretariat for all the work in organising these meetings. We are delighted to be back in Geneva.

We consider, and the Global Waste and Chemical Outlooks prove, that multilateral solutions are needed today more than ever to address the huge environmental challenges ahead of us, such as the sound management of chemicals and waste. We are reaching the limits on the way we design, produce and use products and manage wastes in particular those containing hazardous substances. These challenges are being discussed globally in a programmatic manner but our three Conventions constitute a solid legal framework in which to advance on our common agenda and they are the backbone of our common activities to achieve a great number of the Sustainable Development Goals (SDGs).

In that regard, the European Union and its Member States strongly believe that the collective success of these three Conferences of the Parties is very important for a number of reasons. Important 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. Important also for getting the three Conventions to work more effectively.

The cooperation and coordination among the Conventions and, more widely, with relevant international instruments and organizations has been strengthened in the past years and 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. For this reason, we also see the need to join forces and resources with the Minamata Convention.

Unfortunately, these positive developments are not fully mirrored by an equal increase in efficiencies within the Stockholm and Rotterdam Conventions. On the contrary! We have not yet established effective compliance mechanisms. Unfortunately, we have not yet been able to agree on the listing of substances that meet all relevant criteria under the Rotterdam Convention. 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.

At the last Conference of the Parties, our African colleagues proposed changes to the Rotterdam Convention to break the growing stalemate on the listing of chemicals. We fully share the objective and agree that we must find a way to end this stalemate. Since the vast majority of Parties agrees to the listing and wants to benefit from the Rotterdam Convention information exchange system, we urge all Parties to not block the listing again. If a small number or even individual Parties block the listing, they prevent more than 150 Parties to fully benefit from the Convention. Addressing the concern raised often by those who oppose, we did a study that shows that listing has no negative impact on trade of listed chemicals and their alternatives. In fact, the EU industry still exports a number of chemicals listed in Annex III – demonstrating that listing does not kill the 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.

We are looking forward to fully implement the Rotterdam and Stockholm Conventions by the swift establishment of compliance mechanisms. We also look forward to the listing of seven chemicals in the Rotterdam Convention and two chemicals in the Stockholm Convention.

For the Basel Convention, this is a special year as it marks its 30th anniversary. The Convention has evolved considerably over these years and become a key driver for improving waste management at the global level. This COP represents a unique opportunity for the Basel Convention to play a leading role in tackling marine plastic litter and microplastics, which represents a serious threat to our environment. The need for the international community to strengthen the environmentally sound management of plastic waste was emphasized as a top priority at UNEA-4 and at many other fora. It is now time for the Basel Convention to also show that it can make a difference on this and other important issues at this COP!

We look forward to making tangible progress during these two weeks, fruitful discussions and a successful outcome.

MATTERS RELATED TO THE IMPLEMENTATION OF THE CONVENTION
SCIENTIFIC AND TECHNICAL MATTERS

**TECHNICAL GUIDELINES ON THE ENVIRONMENTALLY SOUND MANAGEMENT
OF WASTE CONSISTING OF, CONTAINING OR CONTAMINATED WITH
PERSISTENT ORGANIC POLLUTANTS**

BC Item 4(b)(i)

The European Union and its Member States wish to thank Norway, the Secretariat and the Small Intersessional Working Group for their work so far.

We support the adoption of new and revised technical guidelines on POPs waste. We have some suggestions in this regard, including on the low POP content values, that we look forward to discussing with all of you during this CoP.

We also support the draft decision with some amendments. These amendments aim to ensure that a clear process is followed further to this CoP on the opportunities to update or develop further technical guidelines, in the run up to CoP15 of the Basel Convention.

We look forward to the development of updated technical guidelines regarding chemicals that might be listed at the 9th Conference of the Parties of the Stockholm Convention. In the near future, we intend to review certain low POP content values which are contained in the technical guidelines, for example for short-chain chlorinated paraffins (SCCPs), taking into account new information including a study that was recently published by European Commission. We would of course be ready to share the outcome of this review with Parties and observers.

LEGAL, COMPLIANCE AND GOVERNANCE MATTERS
COMMITTEE ADMINISTERING THE MECHANISM FOR PROMOTING
IMPLEMENTATION AND COMPLIANCE

BC Item 4(c)(i)

The European Union and its Member States would like to thank the Compliance Committee and the Secretariat for their excellent work, and for providing four new guidance documents on important topics improving implementation of the Convention.

On the benchmark report, we have two minor comments.

We generally support the draft decision, as well as the draft work programme for 2020-2021.

COMPLIANCE

RC Item 5(d)

The European Union and its 28 Member States would like to emphasise the critical importance of reaching agreement on an effective compliance mechanism for the Rotterdam Convention. The Convention in Article 17 requires the Parties to set up such a mechanism, and considerable time has elapsed since its entering into force, therefore, it is essential to finally reach agreement at COP 9.

Therefore, we remain supportive of the previous draft Decision and Annex in COP7. We also fully support the proposal for an Annex submitted under this COP.

The European Union and its Member States would like to repeat and underline that the aim of establishing compliance procedures is not a punitive one but something that ultimately is meant to help Parties comply with their obligations by addressing any difficulties they might have and trying to come up with answers on how to deal with such difficulties.

Regarding your question on the way forward and considering that we already had extensive discussions on a compliance mechanism in contact groups at previous Conferences and that a practically agreed negotiated text exists from COP 7, we do not see any merit in continuing with the same approach. The texts should not be reopened.

If necessary, the European Union and its Member States stand ready to discuss any outstanding issues, in a small group such as a Friends-of-the-President Group.

MEASURES TO REDUCE OR ELIMINATE RELEASES FROM WASTES

SC Item 5(c)

The European Union and its Member States would like to express their appreciation for the work undertaken by the lead countries under the Basel Convention to update and develop the Technical Guidelines.

We support the draft decision outlined in document POPS/COP.9/10 with some changes: we propose to underline the importance of proper disposal of waste in paragraph 7, by specifying that plans of action should prioritize **the environmentally sound** disposal of **such** wastes. In addition, we suggest reflecting a consequential change to the amendment of the listing of PFOS in Annex B.

Our drafting suggestions are reflected in CRP 5.

TECHNICAL ASSISTANCE

BC Item 4(d); RC Item 5(e); SC Item 5(f)

The European Union and its Member States would like to thank the Secretariat for the report and the work regarding technical assistance.

We recognise the importance of providing technical assistance and capacity building in support of the actions by Parties to implement the Conventions. We have a long standing tradition offering such support and remain committed to assisting Parties in need of such assistance.

We also encourage all in a position to do so to join in providing technical assistance and capacity building to those who need it most. All actions count, even small ones.

The role of the Basel and Stockholm regional centres is also key in this regard. We have noted the evaluation reports prepared by the Secretariat and welcome the good work carried out by many of these centres. We encourage Parties in each region to continue to use these centres in the delivery of technical assistance and capacity building. This will result in the benefit of Parties in the region. We also note that some centres have not addressed their own work plans as expected and we encourage them, as well as the host Parties and other Parties in the region, to address the existing shortcomings.

We welcome the projects on the ground undertaken in the implementation of the technical assistance plan. However, we are concerned that some activities undertaken by the Secretariat were not discussed by the COPs or agreed in decisions on technical assistance. The technical assistance plan should focus on the implementation of concrete actions on the ground to assist Parties in need. It is not an agreed or negotiated document and therefore it should not be used to by-pass decisions by the COPs.

Additionally, we have reservations regarding, for example, a "monitoring and evaluation strategy" that has been prepared by the Secretariat without a mandate to do so. Any action on this and other similar issue normally requires discussion and prior and explicit agreement by the COP on the need, purpose and scope of any such exercise and on clear terms of reference.

Finally, the European Union and its Member States would like to recall the decisions of past COPs regarding the use of a database developed by the Secretariat where past and present information regarding technical assistance is to be contained and therefore avoiding reliance only on questionnaires that do not take into account all the information already gathered by the Secretariat over the years.

We look forward to engaging with all Parties and clarifying all of these matters in a contact group.

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

INTERNATIONAL COOPERATION AND COORDINATION

BC Item 5(a); RC Item 6(a); SC Item 6(a)

The European Union and its Member States would like to thank the Secretariat and all other organisations for their reports and their efforts to continue to enhance cooperation and coordination within the chemicals and waste cluster, in particular in implementation of the 2030 Agenda for Sustainable Development.

The 2019 meetings of the COPs come at a crucial time. As feared, the Global Chemicals Outlook II has confirmed that the 2020 goal for the sound management of chemicals and waste, as reflected in target 12.4 of the 2030 Agenda will not be met.

This failure to meet a commitment agreed at the highest level is of great concern. The COPs, at this meeting, need to join the recent strong calls by the UN Environment Assembly urging Governments, industry and the private sector, civil society and all relevant stakeholders, including relevant MEAs, to intensify and prioritise efforts to meet this goal.

Urgent and resolute action at all levels is required to achieve the goals and targets of the 2030 Agenda related to the sound management of chemicals and waste, including, as the UNEA has emphasised, through an improved enabling framework for the sound management of chemicals and waste, in support of a timeless vision.

We also welcome the initiative taken under the Minamata Convention to enhance cooperation with the Basel, Rotterdam and Stockholm Conventions, including administrative cooperation through the sharing of relevant Secretariat services between the four Conventions to be implemented as soon as feasible. We welcome in particular the request made by the Minamata COP to the Executive Director of UNEP to submit an operative proposal on a stable framework for sharing of relevant services.

Given the need to reciprocate from the perspective of the Basel, Rotterdam and Stockholm Conventions, the European Union and its Member States have proposed a draft decision, in Conference Room Paper (No 2 for the Basel Convention), for consideration by these COPs to ensure that such cooperation and consideration of sharing of relevant services is reciprocal. We call on the Executive Secretaries, as well as the UNEP Executive Director to engage constructively, with an open mind, on a stable framework of cooperation and sharing of Secretariat services that will be for the benefit of the sound management of chemicals and waste and the implementation of the 2030 Agenda.

Finally, on an organisational note, we would like to have reflected in the meeting report the fact that the agenda item on "international coordination and cooperation" is not only related to "enhancing coordination and cooperation among the three Conventions", but involves many more organisations and actors. Therefore, we request that, in future meetings of these COPs, "international coordination and cooperation" is considered as a separate, stand-alone agenda item, as has been the case in the past.

Once again, we look forward to constructively engaging on all of these matters in a contact group.

International cooperation (cont.) (Joint CRP.32-8-25)

The European Union and its Member States would like to thank Congo for its submission on the collaboration between the Secretariat of the Bamako Convention and the Secretariat of the Basel, Rotterdam and Stockholm Conventions.

The Bamako Convention plays an important role to help ensuring that hazardous waste is not imported into African countries. Some of the European Union Member States, notably France, already support capacity building activities under the Basel and Rotterdam Conventions with the aim of strengthening the implementation of the Bamako Convention.

This matter has been raised relatively late in the day, once the discussions in the Contact Group has finalised and the decision on international cooperation had been adopted. It is therefore difficult for Parties in other regions to be in a position to fully understand possible implications of the proposed decision, including its possible impact on the budget, programme of work and use of resources of the Basel, Rotterdam and Stockholm Convention.

Therefore, this is a matter that would require further consideration before the adoption of any decision.

International cooperation

The European Union and its Member States would like to thank all Parties involved in the discussions yesterday at the meeting with the African group, Canada and Japan. We had an open, clear and informative exchange about cooperation and coordination between the Bamako Convention and the Basel, Rotterdam and Stockholm Conventions.

The Bamako Convention is an essential instrument for the environmentally sound management of waste in Africa. Its effective implementation is important. Furthermore, it is desirable to have good coordination and cooperation between its Secretariat and the joint Secretariat of the Basel, Rotterdam and Stockholm Conventions.

We are therefore already taking action to support such cooperation. For example, an important capacity-building project under the Basel **and Rotterdam Conventions**, with the financial support provided by France, will provide an unique opportunity and platform to enhance the cooperation and coordination with the Bamako Secretariat. It will also foster complementarity and coherence of action in Africa, and avoid duplication.

In conclusion, Mr President, the European Union and its Member States are supportive of cooperation and coordination with all relevant international organisations and bodies that work towards the sound management of chemicals **and waste**. Therefore, we are supportive of cooperation with regional agreements, particularly the Bamako Convention. This is already in the mandate of the joint Secretariat and cooperation is underway. We encourage the Parties to the Bamako Convention to continue their excellent work in the region in implementing this Convention.

CLEARING HOUSE MECHANISM

BC Item 5(b); RC Item 6(b); SC Item 6(b)

The European Union and its Member States thank the Secretariat for its reports and work on the implementation of the strategy of the joint clearing house mechanism.

We support the importance of this mechanism, whilst also highlighting the need to find the adequate balance between the resources devoted to it and the level of ambition and scope of the activities envisaged. We recall that the decisions taken by the COPs in 2017 remain valid and therefore there is no need to repeat the existing mandates in new decisions, which should focus on any new matter that has not yet been addressed. In any case, we would like to emphasise the need to proceed to the implementation of this strategy and of the work plan in a gradual and cost-effective manner.

MAINSTREAMING GENDER

BC Item 5(c); RC Item 6(c); SC Item 6(c)

The European Union and its Member States thank the Secretariat for its report and work on the Gender Action Plan.

We would like to emphasise the importance of gender mainstreaming in the programme of work of the Conventions. Therefore, we express our support for the updated Gender Action Plan. This Plan should inform future actions in implementation of the programme of work of the Conventions.

We would also like to recall the decision taken at the 2017 COPs, requesting the Secretariat, to continue to report on the implementation of the Plan as well as updating the Action Plan with indicators at the 2019 and subsequent COPs, for consideration by the Conferences of the Parties, so as to enable the Conferences of the Parties to follow up on the Plan's implementation.

Finally, we encourage all Parties and other stakeholders to participate and engage in mainstreaming gender in the implementation of the BRS Conventions. We recognise the prevalence of gender inequality and how that limits and shapes conditions for women, men and children. We are convinced that gender equality at all levels would spur progress on the Sustainable Development Goals.

SYNERGIES IN ILLEGAL TRAFFIC AND TRADE IN HAZARDOUS CHEMICALS AND WASTES

BC Item 5(d); RC Item 6(d); SC Item 6(d)

The European Union and its Member States thank the Secretariat for its report and work regarding synergies in preventing and combatting illegal traffic and trade in hazardous chemicals and wastes.

We support the purpose of the work to enhance cooperation to prevent and combat illegal traffic and trade at all levels. It is important that any decision and consequent work is cost effective and builds on previous decisions and work on this matter under each one of the Conventions, complementing that work but not hindering it or repeating existing mandates.

On the draft decision, we have some suggestions, but we doubt that the decision should contain additional elements as suggested in the recommendations contained in the recently published joint INF document.

As for other matters under this agenda item, we look forward to engaging with all in a contact group on this issue.

FROM SCIENCE TO ACTION

BC Item 5(e); RC Item 6(e); SC Item 6(e)

The European Union and its Member States thank the Secretariat for its work and the report on this matter. We can generally support the decision drafted by the Secretariat, subject to certain clarifications and adjustments. In particular, we support the adoption of the draft road map and the call for its implementation.

FINANCIAL RESOURCES

SC Item 5(g)

Thank you, Mr President.

I am going to divide my intervention as you suggested and will start with the financial mechanism of the Stockholm Convention.

The European Union and its Member States would like to thank the Secretariat and the Global Environment Facility for their reports and all the work done.

The financial mechanism of the Stockholm Convention remains a strong pillar assisting Parties in implementing this Convention, as well as seeking co-benefits for other Conventions, such as in the area of plastic wastes. We welcome the draft terms of reference for the fifth review of the financial mechanism and also for the assessment of funding needs prepared by the Secretariat, both of which we can support. We also welcome the report on the cooperation between the Secretariat and the GEF Secretariat and support activities such as the joint retreat in the second half of 2019 to discuss the outcome of the decisions taken by COP-9 and possible implications for the implementation of activities in the seventh replenishment period of the Facility. We will be happy to constructively engage with all Parties in a contact group on the financial mechanism of the Stockholm Convention.

SC Item 5(g) (part II)

Thank you, Mr President.

The European Union and its Member States would like to thank the Secretariat and UNEP for their reports and all the work done.

We want to emphasise the importance of continued implementation of the “Integrated approach to financing sound management of chemicals and waste”. Earlier this year, UNEP made public the evaluation of the approach, which underlined the need to make further progress in particular regarding mainstreaming in national budgets, development plans and sector policies and in fostering the involvement of industry and the private sector throughout the value chain, including through a clear legislative and regulatory frameworks which clearly identify the respective responsibilities in line with extended producer responsibility and polluter pays principles.

Regarding the dedicated external finance component, we remain committed to provided assistance through multilateral, regional and bilateral mechanisms and welcome the progress made with the full operation of the Special Programme, the GEF and other existing instruments.

COMPLIANCE

SC Item 5(j)

The European Union and its Member States would like to stress the importance of an effective compliance mechanism for the Stockholm Convention. Such mechanism is instrumental in identifying those areas, where Parties require support in order to achieve full compliance with the Convention. Technical assistance activities can build on that and can be designed to address those needs in a targeted way.

On the way forward, the European Union and its Member States support discussing compliance in a Friends-of-the-President Group, since only a small number of Parties has difficulty to accept the text negotiated at the 6th Conference of the Parties and a limited group should provide better chances of focusing the debate on the outstanding issues.

PROGRAMME OF WORK AND BUDGET

BC Item 6; RC Item 7; SC Item 7

The European Union and its Member States would like to thank the Secretariat for preparing the relevant documentation and for developing budget proposals for two alternative funding scenarios.

We believe that the programme of work should reflect the priorities of the Parties and that all the activities must be undertaken within available resources. Our aim is to agree on a resource-efficient, well-targeted and balanced overall budget that promotes effective implementation of the Conventions and is affordable for all.

We therefore look forward to receiving additional detailed explanations from the Secretariat on the activities proposed in the two scenarios, and on the different options available. At the same time, we look forward to discussions with other Parties to determine where it may be possible to achieve savings and what activities should be financed through core and voluntary contributions.

There are several matters which would need further clarification, including:

- The presentation of staff costs and their evolution, which currently lacks both clarity and certainty and was established to give flexibility to the Secretariat during the merging of the three separate Secretariats of BRS Conventions, which has now been achieved;
- The use of consultants, which seems to be extended to all types of matters, some of which might be covered directly by the Secretariat;
- Unused funds and surpluses, since it is not clear how and when these will be spent and reflected in the budget documents;
- The services and support provided to the Secretariat of the Minamata Convention, since the exact amounts owed to the BRS Secretariat, and how and when it is going to be paid by the Minamata Convention are unclear.

Despite the additional measures taken according to the last COP decisions regarding arrears, which we thank the Secretariat for, we are still concerned about this important issue that need to be tackled since the level of arrears can adversely affect the functioning of the three Conventions.

We look forward to further discussions in a contact group.

BC on the interpretation of "subject to availability of resources"

The European Union and its 28 Member States are extremely concerned by the discussions that are taking place in the budget group, where some have questioned the meaning of the expression "subject to the availability of resources".

We would like to emphasise that this is a standard and agreed budgetary phrase, which expresses the decision of the Conference of the Parties to fund a given activity under the voluntary or special trust fund; and NOT under the General Trust Fund.

This phrase has been used over the years under our Conventions, as well as in many other multilateral agreements and organisations across the board. It is a budgetary and financial issue, not a legal one. It cannot be open for interpretation.

Questioning the voluntary funding nature of this phrase would hinder the delicate compromises that have been found in most decisions agreed at these COPs. Furthermore, this would jeopardise the way we work at these COPs as well as in many other organisations.

Mr President, the European Union and its Member States have been over the years and continue to be the main providers of voluntary support to the Conventions and, as we have expressed in previous interventions, our intention is to continue to do so.

However, we cannot accept that a fundamental element of our decisions be put into question a posteriori against the way we have always worked in this and in other agreements and organisations.

**MEMORANDUM OF UNDERSTANDING BETWEEN THE UNITED NATIONS
ENVIRONMENT PROGRAMME AND THE CONFERENCE OF THE PARTIES TO THE
BASEL, ROTTERDAM AND STOCKHOLM CONVENTIONS**

BC Item 7; RC Item 8; SC Item 8 - *Memoranda of Understanding*

The European Union and its Member States thank the Secretariat, UNEP and FAO for all the work on this matter.

The *memoranda* of understanding between the COPs and UNEP and FAO are a long standing matter. Therefore, we salute the availability for consideration by these COPs of the draft texts of these *memoranda*. We support the adoption of the decisions on this matter without further delays and the signature of these MoUs during these COPs, as reflected in paragraph ALT 2 of the draft decisions on this matter.

VENUE AND DATE OF THE NEXTS COPs

BC Item 8; RC Item 9; SC Item 9

The European Union and its Member States thank the Secretariat for the information provided to the COPs, which clarifies the possibility for Parties to host future meetings of the COPs.

Regarding the timing of the next COP meetings, the European Union and its Member States will support back-to-back meetings of the BRS COPs in 2021.

On the venue, the European Union and its Member States also support a written decision that includes a clear standing invitation to Parties to submit offers to host future COPs in order to increase the political and public visibility of the Conventions, as well as obtain budget savings.

In this respect, we welcome the offer of the Government of Kenya to host the 2021 COPs and look forward to hearing more details about it as well as the assessment of the Secretariat, including on the issue of costs and use of UN venues, in order to be able to take a sound decision on the venue of the next COPs.

OTHER MATTERS

BC Item 9; RC Item 10; SC Item 10

The European Union and its Member States note that no joint document for the three Conventions has been submitted. In these circumstances, we would like to express caution regarding a possible joint discussion on this matter. Nevertheless, we'll be happy to engage with others in the margins to understand better what the issue is and if and how it could be brought forward for consideration by the Parties at future meetings.

CLOSING STATEMENT

The European Union and its Member States wish to thank the Secretariat for the preparation, organisation and its strong support during this Triple COP. We also want to thank the Presidents, together with the Co-Chairs of the Contact Groups and the Friends-of-the-President's Groups, for managing a broad agenda with open and excellent participation. Finally, we also want to express our gratitude to all Parties and Observers for their contributions to the lively debate on matters pertaining to the common good of us all.

We have experienced the full spectrum of emotions after the intense work undertaken during these last two weeks here in Geneva. We feel at the same time revitalised and exhausted, fulfilled and concerned, exultant and disappointed.

On the whole, our impression of this Triple COP has been very positive. For the most part, there has been a "consensus of the willing" to take matters forward for the good of ourselves, our planet and future generations.

The European Union and its Member States came to Geneva with the commitment, shared with other Parties to make progress in the implementation and effectiveness of the Conventions in a spirit of cooperation and openness. Specifically, we have had the privilege to experience successes such as the adoption, after 15 years, of a compliance mechanism under the Rotterdam Convention, and we are confident that experience will show that it is a facilitative mechanism, which will help Parties implement and comply with the Convention, for the benefit of all Parties, their populations and the environment.

We have also successfully listed two new chemicals under Annex A of the Stockholm Convention and further reduced the scope of derogations for one other substance. The ban of persistent organic pollutants represents a notable step forward in the elimination and full substitution of these substances, along the path to alleviate their burden on humans and the environment. We have also discussed how important it is that the substitution of those substances is made by better alternatives, not with other hazardous substances that may eventually be listed under the Stockholm Convention.

We have listed two chemicals under Annex III of the Rotterdam Convention, subjecting them not to a ban, but to the prior informed consent procedure that allows countries to know of the import of those chemicals in their territories, allowing them to enforce national law or otherwise ensure that adequate risk management measures are in place, ultimately ensuring the sustainable use of those chemicals. The Rotterdam Convention is, at the end of the day, about solidarity.

Furthermore, we welcome that these COPs have closed the loop for a stable framework of cooperation and sharing of services with the Secretariat of the Minamata Convention; and have joined UNEA on the need for resolute action by all to meet the 2020 goal for the sound management of chemicals and waste, including through an improved, enabling international framework.

We join with many other Parties to express some satisfaction with the progress made under the Rotterdam and the Stockholm Conventions 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 under both Conventions. However, the listing under both Conventions made at this COP has been a somewhat bittersweet experience: we can each look at our own actions and have a reflection on how we operate. When listing, we all embrace our shared responsibility to protect human health and the environment, but at the same time, under Stockholm, some of us propose last minute derogations that even circumvent the scientific assessment on which decisions should be based. Under Rotterdam, some we are concerned that a few Parties oppose the listing of chemicals, implying, largely based on the assumption, that prior informed consent leads to the ban on production and use or that full scientific assessments of alternatives are necessary for the listing.

Last but not least, there were a lot of items on the Basel COP agenda. We dedicated a large part of our time to some intensive discussion on measures in relation to plastic waste, in particular to better control transboundary movements. We came with an ambitious attitude to this meeting and we welcome the decision to include certain plastic wastes under the scope of the Convention and to start work in the Partnership and technical guidelines on plastic waste. We believe this is a key step in addressing the challenge we face globally today with the management of plastic waste.

Furthermore, we have taken a step forward concerning the technical guidelines on the issue of how to distinguish between used equipment and e-waste. This is a very positive development and will further assist Parties and others in addressing the global challenges related to used equipment and e-waste.

Finally, we achieved successful outcomes on a number of other items. The POP waste technical guidelines were further developed, most of the ESM guidelines were adopted and the decisions taken on Legal Clarity and the Compliance Committee will advance work on important issues before the next COP.

To implement our Conventions requires a Secretariat with the resources needed to do its job - in other words - an adequate and affordable budget, that hopefully we will adopt soon.

We agreed on a Technical Assistance plan that will be conducive to effectively implement the Conventions at all levels, nationally and internationally, by providing Parties with the necessary tools and assistance to improve implementation and enforcement.

To conclude, we hope that the generally constructive dialogue experienced in this COP will serve as a catalyst to spark greater informal contacts through electronic means between COPs so as to gain greater understanding of the issues for which we all need to collectively address. The European Union and its Member States are true believers in multilateral solutions being the path to address the huge environmental challenges ahead of us, such as the sound management of chemicals and waste. We believe that a successful implementation of these three Conventions is fundamental to make progress towards the 2020 goal and beyond for the sound management of chemicals and waste and many sustainability goals of the 2030 Agenda. We think that after these COPs we are in a better position to getting the three Conventions to work more effectively and ultimately deliver on what they set out to achieve. However, we cannot rest on our laurels: there is still a long way to go. The European Union and its Member States stand ready with this family of Parties to resolve obstacles in order to achieve our common goal that chemicals are produced and used, and waste is managed in a way, that minimize significant adverse impacts on human health and the environment.

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

MATTERS RELATED TO THE IMPLEMENTATION OF THE CONVENTION

LISTING OF CHEMICALS IN ANNEX A, B OR C TO THE CONVENTION

SC Item 5(e) - Recommendations on listing of chemicals in Annex A, B or C to the Convention

Statements delivered on behalf of the European Union

Dicofol

The European Union supports the listing of Dicofol in Annex A without specific exemptions as recommended by the POP Review Committee.

PFOA

The European Union welcomes the proposal from the POPRC to list PFOA. We support the listing of PFOA, its salts and PFOA-related compounds in part I of Annex A with all the specific exemptions as recommended by POP Review Committee, with the insertion of a new part, possibly part X, in Annex A.

However, the European Union would like to ask the POP Review Committee to clarify for future reviews the scope of the term "testing purposes", as referred in paragraph 2(b) of the new part X of Annex A on PFOA, its salts and PFOA-related compounds. Our request aims at ensuring that, in future reviews of chemical substances by the POP Review Committee, the term "testing purposes" is properly defined so as to avoid misinterpretation by the Parties.

The European Union fully agrees that unnecessary emissions of fire-fighting foams from testing and training must be avoided. However, the scope of the term "testing purposes" should be clarified. In particular, we consider that the verification of the proper functioning of an installed system and the quality check of the foam used by fire-fighting units should not fall under the scope of "testing purposes", as it is part of a normal use and falls under the safety requirements.

SC Item 5(e) - Proposals by the Russian Federation to amend Article 8 and Annex D of the Convention

The European Union and its Member States would like to thank the Russian Federation for their proposals to amend Article 8 and Annex D of the Stockholm Convention.

We would like to recall the objective of the Stockholm Convention, which is, mindful of the precautionary approach as set forth in Principle 15 of the Rio Declaration, to protect human health and the environment.

The European Union and its Member States would like to emphasize that sound scientific data and assessments are very important and create a basis for decision making. This pertains in the area of sound management of chemicals and waste, including the decisions taken under the Stockholm Convention.

We also emphasize the importance of the precautionary principle. Lack of full scientific certainty on all individual aspects is inherent when assessing persistent organic pollutants because of their long-term effects. This should in our view not prevent decision-making, considering the potential consequences of non-action.

Therefore, the European Union and its Member States do not support the proposals to amend Article 8 and Annex D of the Stockholm Convention of the Russian Federation.

In the context of the Stockholm Convention, the uncertainty is managed at two levels – by the POP-Review Committee when assessing the scientific information and by the Conference of the Parties when deciding on the listing of new chemicals.

In our view, the POP-Review Committee provides a robust scientific work fully in line with the criteria set out in the Convention. We take the opportunity here to reiterate our appreciation of the support of that Committee to the Conference of the Parties.

As regards the quality of the data, we consider that valid studies performed according to recognised national or international test guidelines should take precedence in the assessment. Any peer reviewed scientific data should be carefully assessed for its validity and suitability with priority generally given to the most recent data.

The decision of which data is given more weight shall be based on a scientific evaluation of the data at hand and transparently described, including details of data reliability and validity.

The decisions taken by the Conference of the Parties demonstrate that all Parties fully support the objectives of the Convention, including the application of the precautionary principle.

EU and its Member States reaction to plenary discussion on the Russian proposal to amend Article 8 and Annex D of the Stockholm Convention

The European Union and its Member States have already expressed their disagreement with the Russian Federation proposal to amend Article 8 and Annex D of the Convention. Therefore we do not think there is any need to request the POP RC to consider it.

The European Union and its Member States place very high importance on sound scientific data and assessments as a basis for decision making in the area of sound management of chemicals and waste, including relevant decisions to be taken under the Stockholm Convention.

The European Union and its Members States have no concerns about the scientific quality of the work of the POPRC and do not agree there would be a need for developing guidelines. Article 8 in conjunction with criteria and information required in Annexes D, E and F of the Convention already provides clear rules for assessing substances proposed for listing. Taking into account the objective of the Convention set out in Article 1, lack of full scientific certainty should not be an obstacle to list a substance in the Convention.

Furthermore, we would like to highlight that the elaboration of the screening criteria in Annex D, including persistency, is carried out in the risk profile which, as provided in the first paragraph of Annex E "further elaborates on, and evaluates, the information referred to in Annex D".

We would like to recall the Parties of POPRC decision 9/7 that includes the approach to the evaluation of chemicals in accordance with Annex E to the Stockholm Convention taken by POPRC. It is also outlining examples of practices used and decisions made in the evaluation of chemicals by the Committee.

The European Union and its Member States are not in favour of discussing this further.

SC Item 5(e) - Activities for the effective participation of members and Parties in the work of the Committee

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 POP Review Committee.

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 POP Review Committee.

We would also like to thank Ms Estefania Moreira (Brazil) as Chair of the 13th and 14th POP Review Committee, Ms Maria Delvin (Sweden) as Vice-Chair of the 13th POP Review Committee and Ms Svitlana Sukhorebra (Ukraine) as Vice-Chair of 14th POP Review Committee for the very good job they did.

The draft decision offers two options for the election of the new Chair of the POPRC. We are of the view that the POPRC should first identify an interim Chair, who would be elected at COP10.

Therefore, we propose deleting paragraph 5 of the proposed decision and using instead paragraph ALT 5, as contained in the draft decision. With this change, we can support the adoption of the draft decision as outlined in document POPS/COP.9/12.

MEASURES TO REDUCE OR ELIMINATE RELEASES FROM INTENTIONAL PRODUCTION AND USE

EXEMPTIONS

SC Item 5(a)(i)

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 Persistent Organic Pollutants 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 European Union and its Member States can support the adoption of a decision as outlined in document POPS/COP.9/4.

DDT

SC Item 5(a)(ii)

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 support the decision proposed by the Secretariat in document POPS/COP.9/5 and urge Parties that are listed in the DDT register to respond to the DDT questionnaire. The number of Parties that responded is too low to allow a complete assessment of the DDT expert group regarding production, use, import and export of DDT, particularly when there is some inconsistency between different Parties questionnaires. We would like to stress that it is in the own interest of those Parties to provide these data in order to provide them assistance.

The European Union and its Member States would like Parties to consider an addition to paragraph 5(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 5(b) would read as follows: "Ensuring adequate national capacity for **long term sustainable** vector surveillance and for research, resistance monitoring and implementation for pilot testing and scaling up of existing alternatives to DDT".

POLYCHLORINATED BIPHENYLS

SC Item 5(a)(iii)

The European Union and its Member States would like to thank UNEP chemicals, the PCB Elimination Network, the Small Intersessional Working Group and the Secretariat for their work and for the reports.

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 European Union 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 COP.9/6, that Parties urgently need “to implement actions to eliminate the use of polychlorinated biphenyls in equipment by 2025 and to achieve the environmentally sound management as waste of liquids containing polychlorinated biphenyls and equipment contaminated with polychlorinated biphenyls having a content above 0.005 per cent by 2028”.

We acknowledge the global challenges tackling PCB still cause, but we think that current efforts are not sufficient and suggest an amendment to paragraph 2 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 re-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, but with the support of this small inter-sessional working group.

Moreover, we propose that the Secretariat, with the support of the working group, develop a guidance on a standardized approach to developing PCB inventories and analysis for the identification and quantification of PCB, as recommended by the small intersessional working group.

Therefore, we suggest amending paragraphs 6 and 9 accordingly.

Finally, to provide additional assistance to Parties, we propose that the Secretariat assists Parties in their efforts in respect of the action referred to in paragraph 2 of the draft decision, including by developing guidance and a road map for the implementation of such actions.

We have prepared a CRP in order to facilitate the presentation of our comments and suggested modifications. You can find it in CRP 3.

Statement delivered on behalf of the European Union

PERFLUOROOCTANE SULFONIC ACID, ITS SALTS AND PERFLUOROOCTANE SULFONYL FLUORIDE

SC Item 5(a)(iv)

The European Union wishes to thank the POPRC for their work and this recommendation on Perfluorooctane sulfonic acid.

The European Union supports the POPRC recommendation concerning the changes in Annex B as regards the acceptable purposes and specific exemptions for the use of PFOS, its salts and PFOSE. It also supports the clarification concerning sulfluramid. Consequently, we support the decision proposed in document POPS/COP.9/7 to revise the entry on PFOS in Annex B.

The European Union also supports in principle the other decision proposed in document POPS/COP.9/7 on action on other matters related to PFOS, its salts and PFOSE.

However, we would like to propose two amendments to that second decision:

First, we propose to add a reference to the decision that is expected to be taken on the guidelines on Best Available Techniques and Best Environmental Practice to clarify that PFOS is also addressed in those guidelines.

Secondly, we also suggest adding text to the third paragraph of the decision that encourages Parties not to replace fire-fighting foam that contains PFOS with short-chain PFASs due to their persistency and mobility as well as potential negative environmental, human health and socioeconomic impacts. This would be in line with the recommendation from the POPRC in the decision for the listing of PFOA in Annex A.

We prepared a CRP in order to facilitate the presentation of our comments. Please find the suggested changes in CRP 4.

EVALUATION OF THE CONTINUED NEED FOR THE PROCEDURE UNDER PARAGRAPH 2(b) OF ARTICLE 3

SC Item 5(a)(v)

The European Union and its Member States would like to thank the Secretariat for the report. We support the conclusions and recommendations made in that report.

We support the request that the Secretariat should continue awareness raising activities, which should in conjunction with the revised template result in proper implementation of paragraph 2 (b) of Article 3.

The European Union and its Member States support the adoption of a decision as outlined in document POPS/COP.9/8.

MEASURES TO REDUCE OR ELIMINATE FROM UNINTENTIONAL PRODUCTION

SC Item 5(b)

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 guidelines and guidance on Best Available Techniques and Best Environmental Practice.

We support the conclusions and recommendations made by the experts following their meetings in 2017 and 2018.

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 following EU Member States: Austria, Czech Republic, Germany, Slovakia and Romania.

The European Union and its Member States support in principle the proposed decision outlined in document POPS/COP.9/9. However, we suggest an amendment to paragraph 7 of that decision, which aims at being stronger about the need for Parties to provide data on source inventories and release estimates, by "reminding" them and not only "encouraging" them.

In addition, we propose initiating the review of the guidelines on Best Available Techniques and Best Environmental Practice for PFOS because the description of the closed-loop system for hard metal plating is not up to date and to make them consistent with the Basel Convention technical guidelines on PFOS. Furthermore, we propose to revise the guidelines on Best Available Techniques and Best Environmental Practice for PBDEs and HBCD to make them consistent with the Basel Convention technical guidelines on POP-BDEs and on HBCD, respectively. The BAT/BEP guideline for pentachlorophenol is currently in preparation, and should also be made consistent with the Basel Convention technical Guidelines on PCP.

We also propose other amendments to the work plan presented in Annex II to document POPS/COP.9/9.

Our proposals are outlined in CRP 7 and we are ready to discuss them with you.

IMPLEMENTATION PLANS

SC Item 5(d)

The European Union and its Member States thank the Secretariat for the report and wish to emphasise the importance of the implementation plans. We urge all Parties to develop or update and submit any missing or delayed plans.

We congratulate the Secretariat for the work done on revising and preparing new draft guidance documents and encourage all Parties to use the guidance as extensively as possible in order to fully and properly implement the Convention.

We encourage Parties and observers to submit their comments to the Secretariat on the revised guidance on developing and updating national implementation plans for the Stockholm Convention and the preliminary draft guidance in order to make the guidance as useful as possible.

We fully support the GEF project launched by UNEP, which aims *inter alia* to develop an electronic template for the reporting of quantitative information contained in national implementation plans.

We agree in principle with the elements of the proposed decision of document POPS/COP.9/11. Since we see merit in collecting also qualitative information contained in the implementation plans of Parties that could be used for effectiveness evaluation, we propose that the Secretariat develops a draft template for the reporting of that information for consideration by the Conference of Parties at its tenth meeting. We would like to propose an amendment of paragraph 6(c) of the draft decision to that effect.

The proposed amendment is outlined in CRP 2 and we are happy to discuss it with you.

REPORTING PURSUANT TO ARTICLE 15

SC Item 5(h)

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 thank the Secretariat for the work done on the manual to help compiling the information for national reporting and we hope that it will achieve the objective to increase the quality and number of national reports.

We support the further work proposed by the Secretariat, including to continue to improve the electronic reporting system, to provide constructive feedback to Parties on their national reports and to develop, based on identified needs, capacity building and training activities.

The European Union and its Member States suggest that Parties should be consulted on the updated and improved reporting system, in particular the questionnaire.

We think that the manual should also be updated regularly to reflect changes done in the reporting system and that it should be available to Parties for use together with the revised electronic reporting system.

The European Union and its Member States support the proposed decision outlined in document POPS/COP.9/19. However, we suggest an amendment to paragraph 3 of that decision, to clarify that the manual is still a draft version (3. Takes note of the **draft** manual...).

In addition, we suggest amending paragraph 6 to ensure that the revised template is available to Parties at an appropriate time for it to be used for the fifth reporting and that the user manual for the reporting system is updated, if appropriate.

Our suggestions are outlined in CRP 6 and we are ready to discuss them with you.

EFFECTIVENESS EVALUATION

SC Item 5(i)

The European Union and its Member States would like to thank the Secretariat, the regional organization groups, the global coordination group and the United Nations Environment Programme for the work done. We will continue to contribute to this important work.

We support the proposal of the revised framework for effectiveness evaluation as set out in document POPS/COP.9/20/Add.1. We also support the draft updated guidance on the global monitoring plan for persistent organic pollutants as set out in document POPS/COP.9/INF/36.

The European Union and its Member States support the proposed decision outlined in document POPS/COP.9/20. But we would like to have information from the Secretariat regarding the proposed deadline for the preparation of the preliminary report by the Secretariat, which is 31 January 2022. Since the report should already be presented at COP 11 in 2023 and the effectiveness evaluation committee may need at least one year for the work, 31 January 2022 as deadline for submission of the preliminary report to the Committee may be too late. We propose to modify the deadline to another date in 2021, for example 31 October 2021 to ensure that the Committee has sufficient time for the work.

**STATEMENTS DELIVERED AT THE FOURTEENTH MEETING OF THE
CONFERENCE OF THE PARTIES TO THE BASEL CONVENTION**

MATTERS RELATED TO THE IMPLEMENTATION OF THE CONVENTION

SCIENTIFIC AND TECHNICAL MATTERS

**TECHNICAL GUIDELINES ON TRANSBOUNDARY MOVEMENTS OF ELECTRICAL
AND ELECTRONIC WASTE AND USED ELECTRICAL AND ELECTRONIC
EQUIPMENT**

BC Item 4(b)(i)

This is an issue of great importance to the European Union and its Member States. A lot of excellent work has been done under the Basel Convention over many years to ensure that transboundary movements of e-waste are controlled effectively.

The European Union and its Member States consider that the adoption, on an interim basis, of the technical guidelines on e-waste at COP 12 was a significant step forward in addressing the risks associated with unwanted imports of e-waste and the negative impacts on human health and the environment.

These guidelines have been used in practice and Parties have had the opportunity to share their experiences on their application.

We would like to thank the Expert Working Group for the constructive work done and thank China for the leadership they have demonstrated on this issue.

The two meetings in Beijing and Geneva in 2018 displayed positive involvement by all participants from a large number of countries from different parts of the world. Concerns were brought forward and discussed constructively and respectfully. On all outstanding issues a compromise was agreed by the Group. As others have expressed we also feel that the text of the guidelines was improved by the work of the Expert Working Group.

We are pleased to express our support for the final adoption of the revised guidelines contained in document UNEP/CHW.14/7/Add.6 that were recommended by the OEWG last September for adoption at this COP.

We agree with the proposed draft decision as laid down in document UNEP/CHW.14/7 with one clarification which we will share with the Secretariat.

TECHNICAL GUIDELINES ON INCINERATION ON LAND (D10) AND ON SPECIALLY ENGINEERED LANDFILL (D5)

The European Union and its Member States wish to thank the Governments of Canada and Argentina, the Secretariat and the SIWG for their work on the technical guidelines on D5 and on D10. We also thank Argentina and Canada for providing CRP.1.

The draft decision in CRP.1 can be accepted with some changes, notably to extend the scope of the technical guidelines on incineration on land (D10) so that they cover use as a fuel (other than in direct incineration) or other means to generate energy (R1). We have just shared these changes with the Secretariat.

TECHNICAL GUIDELINES ON THE ENVIRONMENTALLY SOUND MANAGEMENT OF WASTE LEAD-ACID BATTERIES

Given the workload that can already be foreseen for the next biennium, the European Union and its Member States suggest that it should be considered in the next biennium whether the technical guidelines on lead-acid batteries should be updated. A corresponding activity should be included in the draft OEWG work programme for the biennium 2020–2021 – as has been done regarding updating the technical guidelines on D8 and D9s.

TECHNICAL GUIDELINES ON THE ENVIRONMENTALLY SOUND MANAGEMENT OF WASTES CONSISTING OF ELEMENTAL MERCURY AND WASTES CONTAINING OR CONTAMINATED WITH MERCURY COMPOUNDS

The European Union and its Member States would like to highlight the importance of the link between the Minamata and the Basel Convention and our support for updating the Basel technical guidelines on mercury wastes. We support the draft decision with a few changes, which we will share with the Secretariat.

STRATEGIC ISSUES

STRATEGIC FRAMEWORK

BC item 4(a)(i)

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 and would like to thank the Secretariat and the SIWG for its work.

We support the draft decision with a minor change.

ADDRESSING THE ENTRY INTO FORCE OF THE BAN AMENDMENT

BC Item 4(a)(ii)

The European Union and its Member States welcome the most recent ratifications and would encourage further ratifications so as to achieve the entry into force of the Ban amendment.

We are pleased to inform the plenary that Croatia is in the process of ratifying the amendment.

We support the draft decision.

DEVELOPMENT OF GUIDELINES FOR ENVIRONMENTALLY SOUND MANAGEMENT

BC Item 4(a)(iii)

Thank you M. President,

The European Union and its Member States welcome the excellent work done by the expert group on environmentally sound management.

We would like to thank the group for completing its work on the draft practical manuals on extended producer responsibility and financing systems as well as for the draft practical manual on how to ensure notifications of transboundary movements satisfy the requirements for environmentally sound management. We think these manuals are now ready to be adopted and should be integrated into the set of practical manuals adopted at COP13.

Furthermore, we welcome the draft guidance on developing strategies on recycling and other recovery, which mirrors the excellent guidance on prevention strategies adopted at COP13, and the draft guidance on how to address ESM in the informal sector, which contains useful steps that can be taken on the ground.

In our view these drafts are ready for adoption. All of these documents 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 and we are confident that a decision will be adopted at this COP.

As all five documents prepared by the expert working group are suitable for adoption, we think that they need not to be discussed in a contact group, however considering the support by several delegations for discussing it in a contact group, we are open to further discussion, with a view to hopefully agree on an adoption of the ESM documents.

CARTAGENA DECLARATION ON THE PREVENTION, MINIMISATION AND RECOVERY OF HAZARDOUS WASTES AND OTHER WASTES

Item 4(a)(iv)

The European Union and its Member States believe that it is important and valuable to all Parties that good practices and examples on waste prevention and minimization are shared through the Basel Convention.

In that respect, we suggest that the COP invites Parties and others to submit such good practices and examples to the Secretariat by 31 December 2019. And we would also like the COP to invite the Secretariat to make them available on the website of the Basel Convention. We are proposing that these invitations are reflected in the report of the COP meeting.

SCIENTIFIC AND TECHNICAL MATTERS

MARINE PLASTIC LITTER AND MICROPLASTICS

BC Item 4(b)(v)

The European Union and its Member States believe that the actions under the Basel Convention on plastic waste should be strengthened – and this COP provides a great opportunity to do so.

The Basel Convention should help to ensure that plastic waste is managed in an environmentally sound manner and does not contribute to marine or land-based pollution.

We look forward at this meeting to laying the foundations of a plastic waste partnership, to amending the Convention's Annexes to improve controls on plastic waste exports and to start the process for updating the technical guidelines on plastic waste.

With regard to the documents on the agenda, the European Union and its Member States generally support the draft decision on marine plastic litter and micro plastics. We also support the establishment of a plastic waste partnership and thank Norway for proposing it.

We have suggested changes on both the draft decision and the proposed partnership in CRP 10, which we look forward to discussing in a contact group.

We would also like to thank Norway for their proposals to amend the Annexes to the Convention and we look forward to their adoption.

With regard to the text of the proposed amendments, we have some suggestions for changes that can be found in CRP 3. These suggestions aim especially at clarifying the scope of the proposed entries on plastic waste, so that only non-mixed plastic materials destined for recycling (operation R3) are included in Annex IX. They are also designed to simplify the text of the entries, so as to facilitate implementation and enforcement. Finally, we are proposing that a clear date is set for the entry into force of these changes, so that administrations and all relevant stakeholders are prepared to implement the new rules arising from these changes.

We look forward to fruitful discussions with all Parties and to making tangible progress on this important issue at this COP.

ELECTRONIC APPROACHES TO THE NOTIFICATION AND MOVEMENT DOCUMENTS

BC Item 4(b)(iv)

The European Union and its Member States wish to thank the Secretariat for the work they have undertaken and agree with the proposed draft decision with some changes in order to clarify the sequence and timing of the activities.

This is a complex issue and we are aware of the challenges linked to it, as discussions are ongoing on the use of electronic approaches within the European Union.

WASTE CONTAINING NANOMATERIALS

BC Item 4(b)(vi)

The European Union and its Member States welcome the comprehensive report prepared by the Secretariat on the issues related to waste containing nanomaterials. We are open to further discussion how the work on this issue can be further progressed.

BASEL CONVENTION PARTNERSHIP PROGRAMME

BC Item 4(e)

Follow-up to PACE

The European Union and its Member States would like to express our appreciation of the work carried out by the Basel Regional Centres on the implementation of the work programme included in the concept note on a follow-up partnership to the Partnership for Action on Computing Equipment. With regard to a follow-up partnership to PACE, we have a number of questions for clarification that may best be addressed in a contact group.

Environmental network for optimizing regulatory compliance and illegal traffic

We welcome the activities of ENFORCE and support the part of the draft decision on ENFORCE.

Household waste

We would also like to express our appreciation to the Working Group of the Household Waste Partnership for the draft overall guidance document on the environmentally sound management of household waste. We think that a complete draft should be prepared before further comments by Parties and observers are invited. The partnership working group should also be requested to prepare a carefully revised draft of the overall guidance document, taking into account the comments received before COP14, the discussions at COP14 and existing guidance under the Basel Convention.

CLASSIFICATION AND HAZARD CHARACTERISATION OF WASTES

BC Item 4(b)(ii)

The European Union and its Member States would like to express their appreciation for the work carried out by the Secretariat and the report on the status of the work of the World Customs Organisation on the Harmonized System related to the Basel Convention. The Secretariat should continue its cooperation with the Harmonized System Committee and relevant subcommittees of the WCO in order to facilitate the inclusion of wastes covered by the Basel Convention in the Harmonized Commodity Description and Coding System; and report on progress to the OEWG12. We are open to continue to discuss the types of waste to be included in the draft decision. In terms of prioritisation, we consider that waste end-of-life vehicles and waste pneumatic tyres are waste streams to be considered by Harmonized System Review Subcommittee as high priority.

NATIONAL REPORTING

BC Item 4(b)(iii)

The European Union and its Member States would like to thank the Secretariat for its work in developing and enhancing the electronic reporting system of the Basel Convention.

We are concerned about the low rate of reporting under Article 13 of the Convention, as only around half of the Parties have reported for 2015 and 2016. We invite the Secretariat to actively encourage Parties to submit their national report.

We would also like to express our appreciation to the Secretariat for initiating the implementation of pilot projects to test the practical guidance on the development of inventories of used lead-acid batteries, of electrical and electronic waste and of waste oils. In this context, we would like to seek clarification whether further feedback can be provided by Parties during COP14 on their experiences with the guidance documents on the development of inventories adopted at COP13.

We support the draft decision with some changes as shown in CRP 12. Notably, we suggest additions to address practical problems related to transit.

LEGAL, COMPLIANCE AND GOVERNANCE MATTERS

NATIONAL LEGISLATION, NOTIFICATIONS, ENFORCEMENT OF THE CONVENTION AND EFFORTS TO COMBAT

BC Item 4(c)(iii)

The European Union and its Member States would like to express their appreciation for the implementation and enforcement activities undertaken by the Secretariat and we encourage the Secretariat to develop those activities.

We support the draft decision with some changes as shown in a CRP. Notably, we suggest additions to address practical problems related to transit.

In addition, we highlight the need for consistency between this decision and the draft decision on "Synergies in preventing and combating illegal traffic and trade in hazardous chemicals and wastes".

**WORK PROGRAMME OF THE OPEN-ENDED WORKING GROUP FOR THE PERIOD
2020-2021**

BC Item 4(g)

The European Union and its Member States generally welcome the revised draft work programme as outlined in document CHW.14/19; however, decisions adopted and discussions held during this COP may need to be reflected in the future work programme.

**STATEMENTS DELIVERED AT THE NINTH MEETING OF THE CONFERENCE OF
THE PARTIES TO THE ROTTERDAM CONVENTION**

MATTERS RELATED TO THE IMPLEMENTATION OF THE CONVENTION

COMPLIANCE

RC Item 5(d)

Mr President,

We regret that Parties are not able to agree on your proposal for the adoption of the compliance mechanism elaborated at COP7, replicated in document 9/14. This would have been our preferred option, but sadly all our attempts at finding consensus on what is practically an agreed text have failed.

We have therefore no choice, but to pursue an alternative course of action which is legally sound: The annex proposal. This proposal allows for a "consensus of the willing", while at the same time allowing gradual consensus for those that are hesitant to go down this path. To these Parties, our door always remains open for them to opt in, and we are confident that in time they will find that it will be in their best interest to do so.

We are at a cross-roads in the effective development of this Convention. Let's us take the path which brings us to that end. We believe there is a heartfelt plea from the majority of Parties here today to seize this once in a generation opportunity, and fully support the adoption of a mechanism, which will ultimately deliver on Article 17 and on the theme of this COP for a "Clean Planet & Healthy People".

At the outset, we welcome your initiative to have a Friends-of-the-President Group in order to seek consensus on this important matter.

We take note that the group, as now composed, only affords the European Union and its Member States one position per regional group, so two in total. The European Union and its 28 Member States represent a large group, we consider that there should be greater representation in proportion to its membership of the WEOG and CEE Parties (two members from European Union and its Member States per WEOG and CEE composition).

We kindly request you to consider this matter and expand the Friends-of-the-President Group in order to afford further representation in the regional groups.

The European Union and its Member States would like to emphasise the critical importance of reaching agreement on an effective compliance mechanism for the Rotterdam Convention. The Convention in Article 17 requires the Parties to set up such a mechanism, and considerable time has elapsed since its entering into force, therefore, it is essential to finally reach agreement at COP9.

We remain supportive of the previous draft Decision (and Annex) in COP7. We highlight our desire to have consensus on this balanced text, which was already the subject of extensive negotiations.

The European Union and its Member States would like to repeat and underline that the aim of establishing compliance procedures is something that ultimately is meant to help Parties comply with their obligations by addressing any difficulties they might have and come up with answers on how to deal with such difficulties.

Considering that we already had extensive discussions on a compliance mechanism in contact groups at previous Conferences and that a practically agreed negotiated text exists from COP7, we do not see any merit in continuing with the same approach. The texts should not be reopened.

ENHANCING THE EFFECTIVENESS OF THE CONVENTION
(including the proposed amendment to Articles 16 and 22)

RC Item 5(c)

The European Union and its Member States would like to thank the Secretariat for all the work done, in particular the implementation of a number of actions identified by the intersessional process as priority actions to enhance the effectiveness of the Convention.

We would also like to thank Latvia for hosting the workshop of the intersessional working group on effectiveness of the Convention.

We think that the intersessional process identified a number of important actions that are expected to improve participation of all Parties in the processes under the Convention. In addition, various actions were identified that will support Parties in their efforts to properly implement the Convention in order to fully benefit from the protection provided. We support in principle that the Secretariat continues to implement those actions.

We think that cooperation with other forums engaged in chemicals management to address issues with a view to supporting implementation of the Convention is very important and we support the actions proposed in this respect.

The European Union and its Member States are of the view that another assessment of the effectiveness of the Convention is not required since the effectiveness has been sufficiently discussed in the context of the intersessional processes and therefore, we do not support establishing a process for that purpose.

However, we think that further improvements can be achieved by listing more chemicals that are still internationally traded, in particular those already recommended by the Chemical Review Committee for listing, and by adopting a compliance mechanism.

The European Union and its Member States would like to again thank the group of African Parties for their proposal to amend Article 22. We think it is a very interesting proposal that should have been incorporated in the Convention from the beginning. However, at this stage we are not in favour of that amendment since it would result in multiple scenarios of rules that would apply to different sets of Parties, thus resulting in the long term in a rather confusing structure.

The amendment of Article 22 would require a ratification process that may take several years and may create two groups of Parties – those that ratify the amendment and those that do not ratify. This would create a situation where certain decisions on listing of chemicals in Annex III would apply to some Parties and not to others.

After entry into force of the amendment of Article 22 proposed by a number of African Parties for those Parties that ratify the amendment, Parties would have the possibility to opt out of decisions taken on listing. This would create a situation where a multitude of scenarios could occur – Parties that did not ratify the amendment, Parties that ratified the amendment but opted out of a certain listing decision and Parties that ratified the amendment and accept the listing. In our view, this would result in a very confusing situation that would create a lot of difficulties in the implementation of the Convention.

Finally, we cannot agree to the proposal to amend Article 16.

LISTING OF CHEMICALS IN ANNEX III TO THE CONVENTION

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

MEMBERSHIP AND ELECTION OF THE CHAIR

RC Item 5(b).A

The European Union and its Member States agree to the confirmation of the new experts designated for the Chemical Review Committee and congratulate them on their formal appointment.

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

We would also like to thank Ms. Nolozi Gwayi for the very good job she did when chairing the 14th meeting of the CRC. We support her appointment as chair of the CRC by the Conference of the Parties.

We thank the Secretariat for holding the orientation workshop for new members of the Chemical Review Committee and support the request to the Secretariat to continue organising such workshops since we consider them very useful for the work of the CRC.

The European Union and its Member States support the adoption of the draft decision as outlined in document RC/COP.9/5.

The European Union and its Member States support the listing of all the chemicals proposed. We would also like to thank the Chemicals Review Committee for their work.

Statements delivered on behalf of the European Union

ACETOCHLOR

RC Item 5(b).B.1

The European Union would like to thank the Chemical Review Committee for its work in reviewing the notifications submitted by 10 African Parties and the European Union and in producing the draft Decision Guidance Document.

We strongly support the inclusion of acetochlor in the PIC procedure. It is clear that the notified regulatory actions fully meet the criteria of Annex II.

HEXABROMOCYCLODODECCANE (HBCDD)

RC Item 5(b).B.2

The European Union would like to thank the Chemical Review Committee for its work in reviewing the notifications submitted by Japan and Norway and in producing the draft Decision Guidance Document.

We strongly support the inclusion of hexabromocyclododecane in the PIC procedure. It is clear that the notified regulatory actions fully meet the criteria of Annex II.

PHORATE

RC Item 5(b).B.3

The European Union would like to thank the Chemical Review Committee for its work in reviewing the notifications submitted by Brazil and Canada and in producing the draft Decision Guidance Document.

We strongly support the inclusion of phorate in the PIC procedure. It is clear that the notified regulatory actions fully meet the criteria of Annex II.

CARBOSULFAN

RC Item 5(b).B.4

The European Union would like to thank the Chemical Review Committee for its work in reviewing the notifications submitted by the European Union and the eight African Parties and in producing the draft Decision Guidance Document.

We strongly support the inclusion of carbosulfan in the PIC procedure. It is clear that the notified regulatory actions fully meet the criteria of Annex II.

CHRYSOTILE ASBESTOS

RC Item 5(b).B.5

The European Union would again like to repeat the statements already made at COPs 3, 4, 5, 6, 7 and 8, that 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. The only logical outcome of our discussion should be listing the chemical in Annex III to the Convention for its use as industrial chemical, so that the objective of the Convention as stated in Article 1 can also be achieved for this chemical.

Inclusion in the prior consent procedure does not in any way constitute an international ban or an invitation to Parties to restrict its use. Parties will be free to decide whether or not to allow its use. Those countries that consider that chrysotile asbestos can be managed safely will be free to do so.

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.

We support the listing and we would be happy to discuss it in greater detail, for example in the Friends-of-Presidency Group, in view of achieving the listing of chrysotile asbestos in this meeting.

FENTHION 640 ULV (SHPF)

RC Item 5(b).B.6

The European Union would like to thank Chad for submitting the proposal to list fenthion 640 ULV as a severely hazardous pesticide formulation and the Chemical Review Committee for reviewing it and for producing the Decision Guidance Document. It is important that this proposal is based on real problems experienced when using that formulation under the national conditions of use in Chad. 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.

As at COP7 and COP8, 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. 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 that use.

We would also like to encourage other developing country Parties to investigate problems experienced with severely hazardous pesticide formulations and submit a proposal for their listing, if appropriate.

LIQUID FORMULATIONS CONTAINING PARAQUAT DICHLORIDE (SHPF)

RC Item 5(b).B.7

The European Union would like to thank the Chemical Review Committee for its work in reviewing the proposal and producing this Decision Guidance Document. We would also like to thank Burkina Faso for submitting the proposal for the listing of a severely hazardous pesticide formulation, Gramoxone Super, which contains paraquat. We recognise that this proposal is based on real problems experienced when using that formulation under the national conditions of use in Burkina Faso.

As at COP6, 7 and 8, 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. It is clear that the proposal from Burkina Faso fully meets the criteria of Annex IV and that all procedures have been complied with.

We are confident that all Parties can agree to the listing at this meeting of the Conference of the Parties in order to allow in particular developing countries to fully benefit from the Convention by applying the PIC procedure when trading this chemical internationally.

STATUS OF IMPLEMENTATION OF THE CONVENTION

RC Item 5(a)

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 new Parties to the Convention and congratulate Iraq, Malta, Sierra Leone, the State of Palestine and Turkey 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 Designated National Authority 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.

We are content to see that the positive trend already observed at the last Conference of the Parties continues with an overall rate of 73% of submitted import responses. Still, we would like to encourage all Parties to submit missing import responses as soon as possible and request the Secretariat to provide assistance to Parties to facilitate the submission of those responses. The submission of import responses is crucial for the protection of all countries and in particular developing countries from unwanted imports of hazardous chemicals. In the absence of an import response, the Convention only provides protection for one year through its explicit consent procedure. After that period, chemicals listed in Annex III can be exported to countries that have not submitted an import response without any protective measures.

Turning now to export notifications, we cannot confirm from our experience the rate of acknowledgements of receipt of export notifications received by exporting countries reported in document RC/COP.9/INF/8, since the rate was only 70% for us. Considering the obligation of exporting Parties pursuant to Article 12(4) to send a second export notification in the absence of an acknowledgement of receipt, we would like to urge all importing Parties to comply with their obligation.

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 European Union, by requesting the explicit consent of importing countries prior to export. The response rate to requests for explicit consent was only 55%, which is regrettable since importing countries miss the opportunity to benefit from this exchange of information that offers them protection against unwanted imports of hazardous chemicals.

Since chemicals listed in Annex III are still traded as shown in document RC/COP.9/INF/8 we would like to encourage Parties to ensure that shipping documents bear the respective customs code when those chemicals are exported to facilitate control by importing countries.

We are content to note an improvement in the number of notifications of final regulatory action, with 133 notifications submitted by 62 Parties during the reporting period. We would like to thank all Parties that submitted notifications of final regulatory action or proposals for the listing of severely hazardous pesticides formulations and encourage all Parties to continue their efforts in this regard.

The European Union and its Member States thank the Secretariat for carrying out the reported activities aiming at increasing the number of notifications of final regulatory action to ban or severely restrict a chemical. The report shows that further efforts are needed to increase the number and quality of such notifications.

The objectives of the Convention can only be achieved when more chemicals that are still traded internationally are listed in Annex III. Notifications of final regulatory action submitted by a variety of Parties are the basis for their listing. Since progress in adding chemicals to the PIC procedure has been very slow since the entry into force of the Convention, improvements are needed to ensure that Parties fully benefit from the Convention.

We call upon all Parties, including the members of OECD, to submit as many notifications of final regulatory action as possible, in particular on those Parties that have already adopted a number of regulatory actions banning or severely restricting a chemical without submitting any notification.

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 a specific Severely Hazardous Pesticide Formulation.

We see the submission of notifications of final regulatory actions and of proposals for listing of Severely Hazardous Pesticide Formulations 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 like to encourage all Parties to use more actively the final regulatory action evaluation toolkit, the FAO pesticide registration toolkit and the IOMC toolbox, which are very useful tools assisting countries in meeting their obligations and achieving sound management of chemicals, including the implementation of the Rotterdam and other Conventions on chemicals.

The European Union and its Member States would like to thank the Secretariat for revising and launching again the survey on the definition of the term "pesticide" applied by Parties. We would also like to thank all Parties that participated in that survey.

We think that the leaflet on "Definitions of use categories under the Rotterdam Convention – resulting challenges for Parties" published by the Secretariat is very useful to better understand the issue. Therefore, we would like to invite Parties to study the leaflet and to consider taking action, if and as appropriate.

Considering the importance of full transparency about the definition of the term "pesticide" applied by Parties for the communication amongst Parties, we suggest adding three paragraphs to the proposed decision that address this aspect: two paragraphs that are addressed to Parties aiming at improving the communication and one addressed to the Secretariat to facilitate that communication.

To conclude, the European Union and its Member States support in principle the adoption of the decision outlined in document RC/COP9.4, but we have some proposals for amendments that you will find in CRP 9.