



The Chemicals Treaties (BRS Treaties)

Basel Convention • Rotterdam Convention • Stockholm Convention

Synergies amongst the BRS Conventions

- Simultaneous extraordinary meetings of the Basel, Rotterdam and Stockholm (BRS) COPs (ExCOPs) have been held twice
- The first ExCOPs (Bali 2010)
- Considered recommendations of the Ad Hoc Joint Working Group on Enhancing Cooperation and Coordination among the BRS Conventions
- Parties adopt an omnibus synergies decision on joint services, joint activities, synchronization of the budget cycles, joint audits, joint managerial functions, and review arrangements
- Decided to review in 2013 how the synergies arrangements had contributed to achieving a set of objectives, such as strengthening the implementation of the three Conventions and maximizing the effective and efficient use of resources at all levels.
- The second ExCOPs (Geneva 2013, in conjunction with the back-to-back meetings of the COPs)
- Parties adopted an omnibus decision on enhancing cooperation and coordination among the BRS Conventions, including
- A review of the synergies process and the organization of the Secretariats, and to continue to present joint activities as an integral part of the proposed programmes of work and budgets of the three Conventions.
- Alignment of the working arrangements of the Rotterdam Convention CRC with those of the Stockholm Convention POPRC to support effective participation of experts and observers, and encourages the POPRC to involve experts from the Basel Convention when discussing waste issues.
- Secretariat to enhance cooperation with the Strategic Approach to International Chemicals Management (SAICM) and consider coordinating with the Minamata Convention on Mercury
- Welcome an integrated approach that includes mainstreaming, industry involvement and dedicated external finance.

Parties to the Agreements

- Basel (Hazardous Waste)
- There are 188 Parties to the Basel Convention (including the EU)
- Trinidad and Tobago acceded to the Convention in 1994
- Of note, while the United States signed the Basel Convention, it has yet to ratify it
- Rotterdam (Trade in Hazardous Chemicals)
- There are 164 Parties to the Rotterdam Convention (including the EU)
- Trinidad and Tobago acceded to the Convention in 2009 (with effect from 2010)
- Again, the US is a signatory but has yet to ratify it
- Stockholm (Persistent Organic Pollutants)
- There are 184 Parties to the Stockholm Convention (including the EU)
- Trinidad and Tobago acceded to the Convention in 2002 (with effect from 2004)
- While both the US and Italy signed the Convention, they have not ratified it





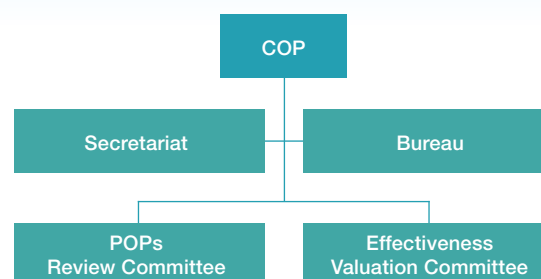
STOCKHOLM
CONVENTION

Stockholm Convention

Background

- The Stockholm Convention on Persistent Organic Pollutants is a global treaty to protect human health and the environment from chemicals that remain intact in the environment for long periods, become widely distributed geographically, accumulate in the fatty tissue of humans and wildlife, and have harmful impacts on human health or on the environment.
- Exposure to Persistent Organic Pollutants (POPs) can lead to serious health effects including certain cancers, birth defects, dysfunctional immune and reproductive systems, greater susceptibility to disease and damages to the central and peripheral nervous systems.
- Given their long-range transport, no one government acting alone can protect its citizens or its environment from POPs.
- In response to this global problem, the Stockholm Convention, which was adopted in 2001 and entered into force in 2004, requires its Parties to take measures to eliminate or reduce the release of POPs into the environment.
- The Persistent Organic Pollutants Review Committee (POPRC) is a subsidiary body to the Stockholm Convention established for reviewing chemicals proposed for listing in Annexes A, Annex B, and / or C. The Convention entails the reviewing process of new chemicals and Annex D, Annex E and Annex F specify the information required for the review.
- While the mandate for the secretariat is set out in Article 19 of the Convention, in 2012, the Secretariats of the Basel and Stockholm conventions, as well as the UNEP-part of the Rotterdam Convention Secretariat, moved from three separate secretariats with a programmatic structure to a single Secretariat with a matrix structure serving the three conventions.

Institutional structure



Principles in the Rio Declaration covered by the Stockholm Convention include:

- Recalling also the pertinent provisions of the Rio Declaration on Environment and Development and Agenda 21
- Acknowledging that precaution underlies the concerns of all the Parties and is embedded within this Convention (Principle 15)
- Reaffirming that States have, in accordance with the Charter of the United Nations and the principles of international law, the sovereign right to exploit their own resources pursuant to their own environmental and developmental policies, and the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction (Principle 2)
- Noting the respective capabilities of developed and developing countries, as well as the common but differentiated responsibilities of States as set forth in Principle 7 of the Rio Declaration on Environment and Development (Principle 7)
- Reaffirming Principle 16 of the Rio Declaration on Environment and Development which states that national authorities should endeavour to promote the internalization of environmental costs and the use of economic instruments, taking into account the approach that the polluter should, in principle, bear the cost of pollution, with due regard to the public interest and without distorting international trade and investment (Principle 16)



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CONVENTIONS



Key provisions of the Stockholm Convention

Objective

Article 1: the objective of the Stockholm Convention is to protect human health and the environment from persistent organic pollutants (POPs).

The main provisions setting out Party Obligations include:

Article 3: Prohibit and / or eliminate the production and use, as well as the import and export, of the intentionally produced POPs that are listed in Annex A to the Convention. The import and export of chemicals listed in Annexes A and B can take place under specific restrictive conditions, as set out in paragraph 2 of Article 3. Article 3 also restricts the production and use, as well as the import and export of intentionally produced POPs listed in Annex B

Annex A (and Article 4): allows for the registration of specific exemptions for the production or use of listed POPs, in accordance with that Annex and Article 4, bearing in mind that special rules apply to PCBs.

Annex B (and Article 4): allows for the registration of acceptable purposes for the production and use of the listed POPs, in accordance with that Annex, and for the registration of specific exemptions for the production and use of the listed POPs, in accordance with that Annex and Article 4.

Article 5: Reduce or eliminate releases from unintentionally produced POPs that are listed in Annex C to the Convention, promoting the use of best available techniques and best environmental practices for preventing releases of POPs into the environment.

Article 6: Ensure that stockpiles and wastes consisting of, containing or contaminated with POPs are managed safely and in an environmentally sound manner. The Convention requires that such stockpiles and wastes be identified and managed to reduce or eliminate POPs releases from these sources. The Convention also requires that wastes containing POPs are transported across international boundaries taking into account relevant international rules, standards and guidelines.

Article 8: Target additional POPs. The Convention provides for detailed procedures for the listing of new POPs in Annexes A, B and / or C. A Committee composed of experts in chemical assessment or management - the Persistent Organic Pollutants review Committee, is established to examine proposals for the listing of chemicals, in accordance with the process set out in Article 8 and the information requirements specified in Annexes D, E and F of the Convention.

A summary of other articles, includes

- **Article 7:** Relating to the development of implementation plans.
- **Article 9:** Relating to information exchange
- **Article 10:** Relating to public information, awareness and education
- **Article 11:** On research, development and monitoring
- **Article 12:** On technical assistance
- **Article 13:** On financial resources and mechanisms
- **Article 15:** On reporting
- **Article 16:** On effectiveness evaluation
- **Article 17:** On non-compliance



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Ratifying the Stockholm Convention: reservations and declarations

Reservations upon ratification or accession to the Basel Convention are not provided for – however, under international law, a country ratifying or acceding to a treaty may make a declaration where they express their understanding of some matter or the interpretation of a particular provision.

Unlike reservations, declarations merely clarify the country's position and do not modify the legal effect of a treaty. Usually, declarations are made at the time of ratification or signature.

Rules of procedure

The [rules of procedure](#) of the Stockholm Convention apply to any meeting of the Conference of the Parties to the Convention convened in accordance with article 18 of the Convention.

Topics covered in the rules of procedure include:

- Meetings (Rules 3–5)
- Observers (Rules 6–8)
- Agenda (Rules 9–16)
- Officers (Rules 22–25)
- Conduct of business (Rules 34–43)
- Voting (Rules 44–51)
- The Parties shall make every effort to reach agreement on all matters of substance by consensus
- Voting rules on substantive issues not agreed, i.e., no voting on substance provided for under this Convention
- Decisions on matters of procedure to taken by a majority vote of the Parties present and voting

Milestones in the implementation of the Stockholm Convention

COP 1 (2005): Parties agreed on the need to evaluate the continued need for DDT use; adopting guidance for the financial mechanism; establishing a schedule for reporting; establishing arrangements for monitoring data on POPs; and establishing the POPs Review Committee.

COP 3 (2007): Parties considered guidelines on best available techniques (BAT) and draft guidance on best environmental practices (BEP).

COP 4 (2009): Parties agreed to list nine new chemicals under the Convention.

COP 5 (2011): Endosulfan was added to Annex A and took further steps in the synergies process.

COP 6 (2013): hexabromocyclododecane (HBCD) was added to Annex A and Parties adopted a framework for the evaluation of the effectiveness of the Convention.

COP 7 (2015): This meeting was held in conjunction with the Basel and Rotterdam Convention COPs and hexachlorobutadiene, pentachlorophenol and its salts and esters, and polychlorinated naphthalenes were added to the Convention.

COP 8 (2017): DecaBDE and short-chain chlorinated paraffins (SCCPs) in Annex A and hexachlorobutadiene (HCBd) in Annex C were added, the evaluation of the effectiveness of the Convention triggered actions in numerous areas of the Convention towards its enhanced implementation, guidance was provided to the financial mechanism, and new guidance on BAT and BEP was adopted. The COP was held at the same time of the Basel and Rotterdam COPs.

COP 9 (2019): Dicofol and perfluorooctanoic acid (PFOA), its salts and PFOA-related compounds were added to Annex A terms of reference for the fifth review of the financial mechanism and for the assessment of the funding needs for the implementation of the Convention over the period 2022–2026 were agreed and the revised framework for effectiveness evaluation was adopted.

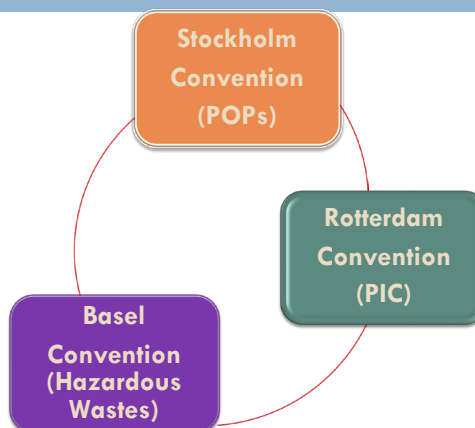
This factsheet on [The Chemicals Treaties \(BRS Treaties\): Basel Convention](#) features on pages 30–33 of the compilation report on [Multilateral Environmental Agreements \(MEAs\)](#).



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THE CONVENTIONS

- **Basel Convention** on the Control of Transboundary Movements of hazardous wastes and their Disposal
 - 1989 / 191 Parties
- **Rotterdam Convention** on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade
 - 1998 / 165 Parties
- **Stockholm Convention** on Persistent Organic Pollutants
 - 2001 / 186 Parties



BASEL CONVENTION



ROTTERDAM CONVENTION



STOCKHOLM CONVENTION

Title: Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal

Entry into force: 5 May 1992

Number of parties: 191

Objective: To protect human health and the environment against the adverse effects of hazardous wastes

Scope: Hazardous wastes and other wastes

Key provisions:

- (i) **Minimization** of the generation of hazardous and other wastes
- (ii) **Control system for transboundary movements** of hazardous and other wastes based on notification and Prior Informed Consent
- (iii) **Environmentally sound management** of hazardous and other wastes in relation to transboundary movements

Title: Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade

Entry into force: 24 February 2004

Number of parties: 165

Objective: To promote shared responsibility and cooperative efforts in international trade of certain chemicals

Scope: 54 pesticides, SHPs and industrial chemicals that have been banned or severely restricted for inclusion in the Prior Informed Consent procedure and met the criteria set out in the Convention

Key provisions:

- (i) **Prior Informed Consent procedure** based on **import responses and export notifications** for other banned / severely restricted chemicals
- (ii) **Exchange of information** on a broad range of potentially hazardous chemicals

Title: Convention on Persistent Organic Pollutants (POPs)

Entry into force: 17 May 2004

Number of parties: 186

Objective: To protect human health and the environment from persistent organic pollutants

Scope: 34 POPs

Key provisions:

- (i) **Elimination** (POPs in annex A)
- (ii) **Restriction** (POPs in annex B)
- (iii) **Specific exemptions and acceptable purposes** for certain POPs
- (iv) **Reduction or elimination** (unintentionally produced POPs in annex C)

Synergies

Enhancing **cooperation and coordination** among the three Conventions

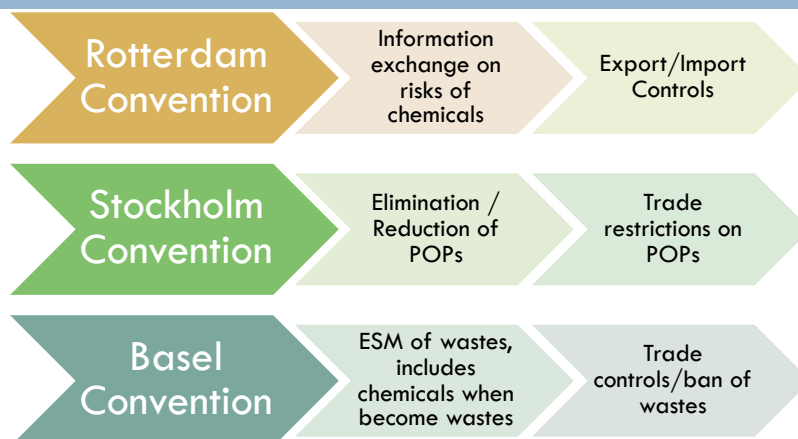
Strengthening the implementation of the three conventions at the national, regional and global levels

Providing **coherent policy guidance**

Enhancing **efficiency** in the provision of support to Parties, reducing their administrative burden and maximizing the effective and efficient use of resources at all levels

Combating **illegal traffic and trade**

Why are these three Conventions working together ?



www.brsmeas.org

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Source: UNEP