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**Intergovernmental negotiating committee to develop
an international legally binding instrument on plastic
pollution, including in the marine environment
Third session**

Nairobi, 13–19 November 2023*
Item 4 of the provisional agenda

**Preparation of an international legally binding instrument on
plastic pollution, including in the marine environment**

**Information submitted by the Secretariat of the Basel,
Rotterdam and Stockholm conventions**

Note by the secretariat

1. The Secretariat of the Basel, Rotterdam and Stockholm conventions has submitted the following information that that could be of relevance to the intergovernmental negotiating committee:

- (a) Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal:
- (i) [Technical guidelines on the environmentally sound management of plastic wastes](#) (UNEP/CHW.16/6/Add.3/Rev.1);
 - (ii) [Technical guidelines on the environmentally sound incineration of hazardous wastes and other wastes as covered by disposal operations D10 and R1](#) (UNEP/CHW.15/6/Add.4/Rev.1);
 - (iii) [Technical guidelines on the environmentally sound disposal of hazardous wastes and other wastes in specially engineered landfill \(D5\)](#) (UNEP/CHW.15/6/Add.5/Rev.1);
 - (iv) [Overall guidance document on the environmentally sound management of household waste](#) (UNEP/CHW.16/19/Add.2);
 - (v) [Practical guidance on the development of an inventory of plastic waste](#) (UNEP/CHW.15/INF/19);
 - (vi) [Practical manual for stakeholders to ensure that notifications of transboundary movements meet environmentally sound management requirements](#) (UNEP/CHW.15/5/Add.1/Rev.1)
 - (vii) [Revised draft practical manuals on extended producer responsibility and financing systems for environmentally sound management](#) (UNEP/CHW.14/5/Add.1);

* UNEP/PP/INC.3/1.

- (viii) [Revised draft guidance to assist Parties in developing efficient strategies for achieving recycling and recovery of hazardous and other wastes](#) (UNEP/CHW.14/INF/7);
- (ix) [Revised draft guidance on how to address the environmentally sound management of wastes in the informal sector](#) (UNEP/CHW.14/INF/8);
- (x) [Practical manuals for the promotion of the environmentally sound management of wastes](#) (UNEP/CHW.13/4/Add.1/Rev.1);
- (xi) [Glossary of terms](#) (UNEP/CHW.13/4/Add.2);
- (xii) [Guidance to assist Parties in developing efficient strategies for achieving the prevention and minimization of the generation of hazardous and other wastes and their disposal](#) (UNEP/CHW.13/INF/11/Rev.1);
- (xiii) [Framework for the environmentally sound management of hazardous wastes and other wastes](#) (UNEP/CHW.11/3/Add.1/Rev.1);
- (xiv) [Environmentally sound management \(ESM\) toolkit](#);
- (b) Stockholm Convention on Persistent Organic Pollutants:
 - (i) [Terms of reference of the Persistent Organic Pollutants Review Committee](#) (decision SC-1/7, amended by decisions SC-4/20, SC-5/11 and SC-10/12);
 - (ii) [Rules of procedure for preventing and dealing with conflicts of interest relating to activities of the Persistent Organic Pollutants Review Committee](#) (decision SC-1/8, amended by decision SC-4/20);
 - (iii) [Code of practice for the treatment of confidential information in the POPs Review Committee](#) (decisions POPRC-2/12, SC-3/9);
 - (iv) [Confidentiality procedures and arrangements under selected international agreements and forums](#) (UNEP/POPS/POPRC.1/INF/13);
 - (v) [Approach to considering isomers or groups of isomers of chemicals proposed for listing in Annexes A, B and/or C of the Convention](#) (decisions POPRC-2/11, SC-3/9);
 - (vi) [Approach to the consideration of climate change interactions with the chemicals proposed for listing in the annexes to the Stockholm Convention](#) (decision POPRC-9/8);
 - (vii) [Approach to the evaluation of chemicals in accordance with Annex E to the Stockholm Convention](#) (decision POPRC-9/7)
 - (viii) [Guidance for drafters of risk profiles on consideration of toxicological interactions when evaluating chemicals proposed for listing - Qualitative literature-based approach to assessing mixture toxicity under Annex E](#) (UNEP/POPS/POPRC.8/16, annex V)
 - (ix) [Preliminary guidance paper on bioaccumulation evaluation](#) (UNEP/POPS/POPRC.3/20, annex VI)
 - (x) [Document on long-range environment transport](#) (UNEP/POPS/POPRC.19/INF/14/Rev.1);
 - (xi) [Guidance on considerations related to alternatives and substitutes for listed persistent organic pollutants and candidate chemicals - 2009](#) (UNEP/POPS/POPRC.5/10/Add.1).

2. Further information that could be of relevance to the intergovernmental negotiating committee can be found in the annex to the present note. The present note, including its annex, has not been formally edited.

Annex

Information that could be of relevance to the intergovernmental negotiating committee submitted by the Secretariat of the Basel, Rotterdam and Stockholm conventions

1. The United Nations Environment Assembly resolution 5/14 reaffirmed the importance of cooperation, coordination, and complementarity among relevant regional and international conventions and instruments, respecting their respective mandates, to prevent plastic pollution and its related risks to human health, adverse effects on human well-being, and the environment. Additionally, in their decisions BC-16/20, RC-11/9 and SC-11/21, the conferences of the Parties to the Basel, Rotterdam and Stockholm conventions requested the Executive Secretary to closely cooperate and coordinate with the Executive Director of the United Nations Environment Programme in the context of the intergovernmental negotiating committee's mandate and to participate in its work on issues relevant to the Basel, Rotterdam, and Stockholm Conventions, including persistent organic pollutants in plastic products.
2. The Basel, Rotterdam, and Stockholm conventions encompass several key elements that could be relevant to the new legally-binding instrument:
 - (a) Minimization of the generation of plastic waste;
 - (b) Control of transboundary movements of plastic waste;
 - (c) Environmentally sound management of plastic waste;
 - (d) Identification, restrictions and other control measures of plastic additives.
3. The Basel Convention addresses hazardous wastes and other wastes, including plastic wastes. It defines key terms related to waste management, specifies waste streams falling under its jurisdiction, and outlines measures to reduce waste generation and ensure environmentally sound management including the identification of adequate disposal operations. The convention establishes a prior informed consent procedure to control transboundary movements of these wastes, allowing them only in accordance with environmentally sound principles. As amended in 2019, all plastic waste covered by the Convention, including mixture of plastic waste not destined to recycling, is subject to the provisions on waste minimization, environmentally sound management, and the prior informed consent procedure. The technical guidelines on environmentally sound management of plastic waste adopted at the sixteenth meeting of the Conference of the Parties in May 2023 should be taken into account in the new instrument. The Basel Convention also defines the illegal traffic of hazardous and other wastes, including plastic wastes which is to be considered criminal under national legislation and requires Parties to introduce appropriate national legislation to prevent and punish illegal traffic.
4. The Stockholm Convention aims to protect human health and the environment from persistent organic pollutants (POPs), including plastic additives and by-products, stockpiles, and wastes. Currently, there are 34 chemicals listed under the Convention, 17 of which are closely related to plastics. While the Convention doesn't provide for general labelling requirements (except for specific chemicals) and information disclosure, it mandates Parties to develop strategies for identifying stockpiles, products, articles in use, and in wastes containing chemicals listed in Annex A, B or C. The process of reviewing and adding new POPs provided in Article 8 of the Convention may also coincide with the new instrument.
5. The Rotterdam Convention promotes shared responsibility and cooperative efforts among Parties in the international trade of certain hazardous chemicals and pesticides, and contributes to the environmentally sound use of those hazardous chemicals and pesticides. Of the 55 chemicals listed in Annex III to the Convention following the eleventh meeting of the Conference of the Parties in May 2023, 15 are plastic additives.
6. It is essential to consider these aspects under the Basel, Rotterdam and Stockholm conventions that might intersect with the new instrument. This understanding is crucial for fostering effective cooperation, coordination, and complementarity between the three conventions and the new instrument.