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

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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 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) [Technical guidelines on transboundary movements of electrical and electronic waste and used electrical and electronic equipment, in particular regarding the distinction between waste and non-waste under the Basel Convention \(E-waste\)](#) (UNEP/CHW.16/INF/10/Rev.1);
- (v) [Technical guidelines for the environmentally sound management of used and waste pneumatic tyres](#) (UNEP/CHW.10/6/Add.1/Rev.1).
- (vi) [Cartagena Declaration on the Prevention, Minimization and Recovery of Hazardous Wastes and Other Wastes](#);
- (vii) [Electronic approaches to the notification and movement documents](#);
- (viii) [Export and import control tool](#);
- (ix) [Framework for the environmentally sound management of hazardous wastes and other wastes](#);
- (x) [Environmentally sound management toolkit](#);
- (xi) [Glossary of terms](#).

- (b) Outputs of the [Plastic Waste Partnership](#):
- (i) [Compilation of information on best practices and identification of challenges for improving the design of plastic products to increase their durability, reusability, repairability and recyclability, as well as to reduce hazardous constituents in plastic products](#);
 - (ii) [Analysis of the impacts and challenges, including environmental, socio-economic and technical considerations, of the practices and measures taken to prevent and reduce plastic waste](#);
 - (iii) [Compilation of information on actions taken by Parties to implement the amendments to the Convention on plastic waste, including information regarding any adopted measures, and challenges experienced in preparing for implementation](#);
 - (iv) [Factsheet on Harmonized System codes relevant to plastic waste and their relation to the amendments to the Basel Convention on plastic waste](#);
 - (v) [Factsheet on the roles and responsibilities of key stakeholders in implementing the amendments to the Convention on plastic waste](#);
 - (vi) [Compilation of information, best practices and lessons learned on measures taken by key stakeholders to prevent and reduce single use plastic waste and packaging waste](#);
 - (vii) [Compilation of national and international specifications related to “almost free from contamination and other types of wastes” and “almost exclusively” for shipments of plastic waste destined for recycling](#);
- (c) Stockholm Convention on Persistent Organic Pollutants:
- (i) [Report outlining the options for identifying persistent organic pollutants in stockpiles, products and articles in use and in wastes and issues related to the production, import and export of products and articles containing persistent organic pollutants](#) (UNEP/POPS/POPRC.20/INF/9/Rev.1);
 - (ii) [Persistent Organic Pollutants Review Committee Pocket Guide](#);
 - (iii) [Alternatives to persistent organic pollutants](#);
 - (iv) [Toolkit for identification and quantification of releases of dioxins, furans and other unintentional persistent organic pollutants](#);
 - (v) [National implementation plans](#);
 - (vi) [National reporting dashboard](#);
 - (vii) [Global Monitoring Plan for Persistent Organic Pollutants Data Warehouse](#);
 - (viii) [Effectiveness evaluation](#).

2. The [Expert Working Group on the review of annexes under the Basel Convention](#) is assessing whether any additional constituents related to plastic waste should be added to Annex I to the Convention. Additionally, the group is considering whether any additional hazardous characteristics specific to plastic waste should be included in Annex III to the Convention. The latest iteration of the draft recommendations by the expert working on both matters are set out in the annexes to document [UNEP/CHW/RA_EWG.6/3/Rev.2](#). The outcomes of these discussions may inform further updates to the Basel Convention to better address the unique challenges posed by plastic waste.

3. In addition, the Secretariat has published a follow up study to the “[Global Governance of Plastics and Associated Chemicals](#)”, titled “[Addressing Chemicals of Concern in Plastics through Established Multilateral Environment Agreements and the New Legally Binding Instrument on Plastic Pollution](#)”.

4. 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, is presented as received and 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

I. Introduction

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.
2. 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 (BRS) conventions requested the Executive Secretary to closely cooperate and coordinate with the Executive Director of the UNEP in the context of the intergovernmental negotiating committee's mandate and to participate in its work on issues relevant to the BRS conventions, including persistent organic pollutants (POPs) in plastic products.
3. The BRS conventions have the common objective to protect human health and the environment from hazardous chemicals and waste and have provisions related to, among others, objectives, definitions, national action plans, national reports, effectiveness evaluation, global monitoring plan, technical assistance, financial mechanism, mechanism to assess scientific and socio-economic information, awareness-raising, education and information exchange, international cooperation and coordination, stakeholder engagement, research and development, compliance, governing bodies (Conference of the Parties (COP) and its subsidiary bodies) and Secretariat.

II. Key elements under the BRS conventions relevant to the new instrument

4. The BRS conventions encompass several key elements that could be relevant to the new legally binding instrument:
 - (a) Control of transboundary movements of plastic waste;
 - (b) Minimization of the generation of plastic waste;
 - (c) Environmentally sound management of plastic waste;
 - (d) Identification and control of plastic additives.
5. The Basel Convention addresses hazardous wastes and other wastes, including plastic wastes. It defines key terms related to waste management, specifies waste streams falling within its scope, and outlines measures to reduce waste generation and ensure environmentally sound management. The convention establishes a prior informed consent (PIC) procedure to control transboundary movements of these wastes to ensure that the wastes will be managed in an environmentally sound manner in the State of import. 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 PIC procedure.
6. There are a number of [guidance documents](#) under the Basel Convention that support upstream efforts to promote sustainable production and consumption of plastics, including product design, and that guide Parties to ensure the environmentally sound waste management of plastic wastes, including through resource efficiency and circular economy approaches. The [technical guidelines on the environmentally sound management of plastic wastes](#) (UNEP/CHW.16/6/Add.3) adopted at COP-16 in May 2023 should be taken into account in the new instrument.
7. The Stockholm Convention aims to protect human health and the environment from POPs, including plastic additives and by-products, stockpiles, and wastes. Currently, there are 34 chemicals listed under the Convention, 17 of which are related to plastics. While the Convention lacks 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 should be taken into account in the new instrument.

8. 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 COP-11 in May 2023, 15 are plastic additives.

9. 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 and collaboration between the existing conventions and the new instrument.

III. Obligations, control measures and voluntary approaches under the BRS conventions

A. Basel Convention

10. The Basel Convention sets out obligations to reduce the generation and promote the environmentally sound management of hazardous wastes and other wastes requiring special consideration, to reduce transboundary movements of such wastes except where it is perceived to be in accordance with the principles of environmentally sound management; and sets up a regulatory system (PIC procedure) applying to cases where transboundary movements are permissible.

11. These obligations are set out in the following:

(a) Articles 4 and 4A: General obligations regarding waste minimization, environmentally sound management of wastes and transboundary movements of wastes;

(b) Article 6: The detailed prior informed consent procedure applying to transboundary movements;

(c) Article 9: It defines illegal traffic and provides for the consequences of illegal traffic in order to ensure that wastes illegally trafficked are ultimately managed in an environmentally sound manner and that conduct contrary to the Convention is punished;

(d) [Plastic Waste Amendments](#) adopted in 2019.

12. The Framework for the environmentally sound management (ESM) of hazardous wastes and other wastes was adopted by the Conference of the Parties in 2013. Intended as a practical guide for all stakeholders, the Framework identifies what can be done to address the challenges of implementing the ESM of hazardous wastes and other wastes. The ESM Framework is supplemented by the [ESM Toolkit](#) which provides guidance to Parties and others on practical approaches to implementing ESM, specific guidance on aspects such as Extended Producer Responsibility (EPR), prevention and minimization, and how to address ESM in the informal sector.

13. [National reporting](#) and plastic waste inventory guidance: Article 13 of the Basel Convention provides that each Party is to transmit, before the end of each calendar year, a report on the previous calendar year, containing relevant information (e.g. on generation of waste, imports and exports, availability of disposal facilities). The Basel Convention [national reports](#) include reporting on plastic waste as it falls under the Convention. In decision BC-15/13, the COP took note of the practical guidance on the development of inventories of plastic waste (UNEP/CHW.15/INF/19/Rev.1).

14. The Committee Administering the Mechanism for Promoting Implementation and Compliance (ICC): Established in 2002, the Committee has the mandate to review both specific submissions regarding individual Parties' implementation and compliance, and general issues of implementation and compliance under the Convention. Over the years the Committee has helped 22 Parties resolve their compliance difficulties and monitored progress achieved by all Parties with their implementation of the Convention in relation to country contacts, reporting, legislation, illegal traffic and control measures. Under its 2024-2025 work programme, the Committee has monitored the legislative implementation of the plastic waste amendments, which are binding on all Parties, and reviewed a report scoping the extent of illegal traffic, including in relation to plastic wastes. More information is available in the [report of the sixteenth meeting of the Committee](#).

B. Stockholm Convention

15. The Stockholm Convention provides measures to reduce releases of POPs, including plastic additives and by-products, from intentional production and use, unintentional production, and stockpiles and wastes.

16. The following articles set out obligations:

(a) Article 3: Measures to reduce or eliminate releases from intentional production and use;

- (b) Article 5: Measures to reduce or eliminate releases from unintentional production;
- (c) Article 6: Measures to reduce or eliminate releases from stockpiles and wastes.

17. The Stockholm Convention does not have labelling requirements (except for PCBs, pentachlorophenol and hexabromocyclododecane) but it requires each Party to develop appropriate strategies for identifying stockpiles, products and articles in use and wastes consisting of, containing or contaminated with a chemical listed in Annex A, B or C.

Mechanism for considering additional chemicals/plastic products/ applications/standards etc. to be applied under the instrument on plastic pollution or other relevant scientific matters:

18. The Stockholm Convention Article 8 provides a mechanism to review and list new POPs under the Convention. Any Party may submit a proposal to the Secretariat for listing a new chemical in Annex A, B, and/or C to the Convention. The Secretariat verifies that the proposal contains information specified in Annex D and forwards it to the scientific subsidiary body, the POPs Review Committee, for consideration.

19. The Committee, consisting of 31 government designated members from the 5 UN regions, examines the proposal and applies the screening criteria specified in Annex D. If the Committee is satisfied that the screening criteria have been fulfilled, it invites Parties and observers to submit information specified in Annex E and develops a risk profile. Based on the risk profile, the Committee decides whether the chemical is likely, as a result of its long-range environmental transport, to lead to significant adverse human health and/or environmental effects such that global action is warranted.

20. It then invites Parties and observers to submit information related to the socio-economic considerations specified in Annex F and develops a risk management evaluation. On the basis of the risk profile and risk management evaluation, the Committee makes a recommendation to the COP whether the chemical should be considered for listing in Annexes A, B and/or C.

21. The COP, taking due account of the recommendations of the Committee, including any scientific uncertainty, shall decide, in a precautionary manner, whether to list the chemical, and specify its related control measures, in Annex A, B and/or C.

22. The new international legally binding instrument on plastic pollution may require such scientific and technical subsidiary body or a mechanism for considering chemicals/plastic products/applications/standards to be applied under the instrument or other relevant scientific matters.

23. Other relevant provisions include the following:

(a) National implementation plans: Article 7 of the Stockholm Convention requires each Party to transmit national implementation plans (NIPs) within 2 years from the date of entry into force and to review and update the plans;

(b) [National reporting](#): Article 15 of the Stockholm Convention provides that each Party is to report on the implementation of the Convention every four years;

(c) Compliance: At its eleventh meeting, the COP adopted the compliance mechanism pursuant to Article 17, providing procedures and institutional mechanisms for determining non-compliance with the provisions of this Convention and for the treatment of Parties found to be in non-compliance;

(d) Effectiveness evaluation: In accordance with Article 16 of the Stockholm Convention, commencing four years after the date of entry into force of the Convention, and every six years thereafter, the COP evaluates the [effectiveness of the Convention](#). The last effectiveness evaluation took place at the COP-11 in 2023. In order to facilitate such evaluation, the COP established the [Global Monitoring Plan](#) to provide itself with comparable monitoring data on the presence of the chemicals listed in Annexes A, B and C as well as their regional and global environmental transport.

C. Rotterdam Convention

24. 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.

25. The following articles set out applicable procedures and obligations:

- (a) Article 5: Procedures for banned or severely restricted chemicals;
- (b) Article 10: Obligations in relation to imports of chemicals listed in Annex III;
- (c) Article 11: Obligations in relation to exports of chemicals listed in Annex III;

(d) Article 12: Export notification.

26. Other relevant provisions include the following:

(a) Compliance: In 2019, the ninth meeting of the COP gave effect to the legal basis set out in Article 17 for it to develop and approve, as soon as practicable, procedures and institutional mechanisms for determining non-compliance with the provisions of this Convention and for the treatment of Parties found to be in non-compliance. The Committee has the mandate to review both specific submissions regarding individual Parties' implementation and compliance, and systemic issues of implementation and compliance under the Convention. At its tenth meeting, the COP adopted the work programme for 2022–2023 of the Committee (decision RC-10/11);

(b) Information exchange: As per Article 14, each Party shall, as appropriate and in accordance with the objective of this Convention, facilitate (a) the exchange of scientific, technical, economic and legal information concerning the chemicals within the scope of the Convention, including toxicological, ecotoxicological and safety information; (b) the provision of publicly available information on domestic regulatory actions relevant to the objectives of this Convention; and (c) the provision of information to other Parties, directly or through the Secretariat, on domestic regulatory actions that substantially restrict one or more uses of the chemical, as appropriate;

(c) National action plans: The COP adopted decisions RC-6/11 and RC-7/7 on technical assistance which include a programme of training activities on the development of national action plans for the implementation of the convention;

(d) Final regulatory action: Notifications of final regulatory action are the means by which Parties inform the Secretariat of their actions to ban or severely restrict a chemical for human health and environmental reasons. Summaries of new notifications of final regulatory action are published each June and December in the PIC Circular and are in the database of notifications of final regulatory action. Article 5 of the Convention sets out the obligations of Parties with respect to notifying the Secretariat of their final regulatory actions;

(e) Import responses: Import responses are the decisions provided by Parties indicating whether or not they will consent to import the chemicals listed in Annex III of the Convention and subject to the PIC procedure. All import responses submitted by Parties are published each June and December in the PIC Circular and are available in the database of import responses. Article 10 of the Convention sets out the obligations of Parties with respect to the future import of chemicals listed in Annex III.

IV. Measures to support the implementation of the instruments under the BRS conventions

27. The Basel, Rotterdam and Stockholm conventions include the following measures to support their implementation:

(a) Technical assistance and financial mechanism: Article 10 of the Basel Convention provides for Parties to cooperate with one another to improve and achieve environmentally sound management of hazardous wastes and other wastes. Article 16 of the Rotterdam Convention and Article 12 of the Stockholm Convention set out obligations related to technical assistance. On plastics, [more than 50 countries](#) are currently receiving technical assistance to strengthen the country's capacity for addressing plastic pollution;

(b) Article 13 of the Stockholm Convention states that each Party undertakes to provide, within its capabilities, [financial support and incentives](#) in respect of those national activities that are intended to achieve the objective of this Convention in accordance with its national plans, priorities and programmes. Article 14 of the Stockholm Convention establishes interim financial arrangements. The [Global Environment Facility](#) (GEF) is entrusted with the operations of the financial mechanism referred to in Article 13.

28. Other relevant provisions include the following:

(a) Regional centres: The Basel and Stockholm Conventions have established a number of regional and subregional centres under both conventions to provide technical assistance, capacity building and to promote the transfer of technology to Parties that are developing countries or countries with economies in transition in order to enable them to implement their obligations under these conventions. There is a total of [23 regional centres](#);

(b) Compliance procedures and mechanisms: Under the Basel, Rotterdam and Stockholm conventions, the Committees are, among other things, to assist Parties to comply with their obligations (see the information in the section on "implementation measures");

(c) International cooperation: The Rotterdam Convention and the Stockholm Convention respectively provide an express legal basis for their Conferences of the Parties to cooperate with international organizations and intergovernmental and non-governmental bodies. Under the Basel Convention, international cooperation falls under the scope of the general functions of the COP. Each Convention also provides for the Secretariat to cooperate with international bodies;

(d) At each meeting, the conferences of the Parties adopt substantively similar decisions guiding the various international cooperative activities to be undertaken by the Secretariat with a range of other organizations and stakeholders with a view to enhance consistency and coherence between the requirements and processes of the conventions and those of others, and promote their mutual supportiveness; share experiences, approaches and policies with respect to the implementation of the conventions; and increase efficiency, resources and expertise for the implementation of the mandates and programmes of work of the conventions;

29. In addition, the respective bodies under the three conventions work closely together on areas of common interest through enhanced coordination and cooperation, including:

(a) Information exchange and clearing-house mechanism: Article 9 of the Stockholm Convention, Article 14 of the Rotterdam Convention and Articles 3, 4, 5, 6, 10, 11, 13 and 16 of the Basel Convention provide requirements relating to information exchange. The [joint clearing-house mechanism](#) under the Basel, Rotterdam and Stockholm conventions is a multi-stakeholder global system that facilitates the exchange of information and expertise relevant for the conventions;

(b) Research, development and monitoring: Article 11 of the Stockholm Convention provides requirements related to research, development and monitoring;

(c) Guidance and guidelines developed under the conventions support the implementation of the conventions, in particular for Parties that are developing countries and countries with economies in transition;

(d) Partnerships established under the conventions also contribute to support the implementation of the conventions. For example, established in 2019 by the COP to the Basel Convention, the [Plastic Waste Partnership](#) is delivering its activities through 4 project groups: plastic waste prevention and minimization; plastic waste collection, recycling and other recovery including financing and related markets; transboundary movements of plastic waste; outreach, education and awareness-raising. Together with the Global Partnership on Marine Litter under the UNEP, the Basel Convention's Plastic Waste Partnership plays a key role in stakeholder engagement. It would be important to maximize the cooperation and coordination among those multistakeholder platforms and avoid further duplication of similar efforts.