

Seventh Session of the Basel Convention Open-ended Working Group

10-14 May 2010, Geneva

Briefing to the Permanent Missions in Geneva

Thursday, 4 November 2010

Katharina Kummer Peiry
Executive Secretary, Basel Convention

The OEWG

- Main subsidiary body of the Convention
- Composed of the representatives all interested parties and open to observers
- Work programme decided by the COP
- Meets intersessionally between the COPs
- Mandate: Advice to COP, implementation of COP Decisions (Decision VI/36)

Seventh Session of the Open-ended Working Group (OEWG 7)

- Dates: 10-14 May 2010
- Location: Geneva International Conference Center (CICG)
- The Bureau of the OEWG, as appointed at the COP 9:
 - ❑ **Co-Chairs:**
Mr. Oludayo Olusegun Dada (Nigeria) (technical) and
Mr. Damien Hall (Australia) (legal)
 - ❑ **Vice-Chairs:**
Ms. Gillian Guthrie (Jamaica) (legal) and
Mr. Mohammed Khashashneh (Jordan) (technical)
 - ❑ **Rapporteur:** Ms. Sanja Radović (Croatia)

The OEWG 7 Agenda

- Item 4: Cooperation and coordination among BC/RC/SC
- Item 5: Strategic issues
- Item 6: Scientific and technical matters
- Item 7: Legal and compliance matters
- Item 8: Resource mobilization

The OEWG7 Agenda (2)

- Item 9: International cooperation and coordination
- Item 10: Financial matters
- Item 11: Work programme of the OEWG for 2012-2013
- Item 14: Other matters

Cooperation and coordination among the BC/RC/SC (item 4)

1. The OEWG 7 was informed by UNEP on:
 - The Simultaneous extraordinary meetings of the Conferences of the Parties to the Basel, Rotterdam and Stockholm conventions (ExCOPs), 22-24 February 2010, Bali
 - The arrangements to implement the decision IX/10 of COP 9 on cooperation and coordination among the Basel, Rotterdam and Stockholm conventions, and on the Omnibus decision adopted by the ExCOPs. (synergies decisions)

Cooperation and coordination among the BC/RC/SC (item 4)(2)

3. The Omnibus decision adopted by the ExCOPs addresses joint activities, joint managerial functions, joint services, synchronization of budget cycles, joint audits and review arrangements.
4. The implementation of the Omnibus decision by the Executive Director of UNEP in consultation with the Director General of FAO and the Executive Secretaries of the Basel, Rotterdam and Stockholm Conventions is ongoing
5. The OEWG 7 commended the ES and UNEP on the work and appreciated the progress made

New Strategic Framework (item 5a)

- Decision IX/3: NSF to succeed to the 2002-2011 Strategic Plan, for a 10-year period
- Goal:
 - to promote the environmentally sound management of waste
 - play a decisive role in highlighting links among waste management, the achievement of MDGs, and human health & livelihood

Website section: <http://www.basel.int/stratplan/index.html>

New Strategic Framework (item 5a)(2)

- The OEWG 7 agreed on:
 - Vision
 - Guiding principles
 - Strategic goals and objectives
 - The development for means of implementation and
 - Indicators of achievement intersessionally
- Draft means of implementation and indicators available for comments **since 9 July 2010**
- Informal consultations will take place to finalize the draft NSF for consideration by COP10

Basel Convention Regional and Coordinating Centres (item 5b)

1. The OEWG 7 considered:

- A review and strengthening of the operation of the centres
- A proposal for the establishment of a new regional centre (no decision)

Basel Convention Regional and Coordinating Centres (item 5b)(2)

2. Elements for strengthening the Centres:

- Work plan for the strengthening of the Centres
- List of the necessary elements for the performance of the core functions of the Centres
- Draft strategic framework for the financial sustainability of the Centres
- Set of indicators
- ❖ Deadline for comments on the review and strengthening of the operation of the BCRCs: **15 November 2010**
- ❖ On this basis, the Secretariat will prepare a final report to COP 10.

Basel Convention Partnership Programme (item 5c)

The OEWG 7:

- Welcomed in particular the initiatives under the Partnership for Action on Computing Equipment (PACE)
- Welcomed the progress made under the Partnership Programme
- Requested the Secretariat to continue, subject to availability of financial resources, to implement the Partnership Programme

The OEWG 7 requested:

- PACE to develop an overall guidance document on ESM of used and end-of-life computing equipment (available in 1st Quarter 2011)
- Parties and others to send comments on the draft guidance document to the Secretariat by **31 May 2011**.
- On this basis, work will continue, including submission of the draft guidance document to COP 10.

Indonesian-Swiss country-led initiative to improve the effectiveness of the Basel Convention (item 5d)

- Indonesia and Switzerland informed on the outcome of previous meetings on the initiative
- The OEWG 7
 - ✓ welcomed the Initiative
 - ✓ acknowledged the progress
 - ✓ noted the elements for the way forward
 - ✓ called for the continuation of the work
 - ✓ asked for submission of options and recommendations to COP10
- The third meeting was held 23-28 Sept 2010 in Hilterfingen, Switzerland
- A more detailed briefing on CLI will be given by Indonesia and Switzerland early next year

Technical Guidelines (TG) (item 6a)

The OEWG 7 considered updated versions of TG on:

- the transboundary movements of **e-waste**
- environmentally sound management of **used tyres**
- the environmentally sound management of **mercury wastes**
- the ESM of POPs
- co-processing of hazardous waste in **cement kilns**

The draft TGs will be submitted to COP 10 for consideration and adoption.

Classification and hazard characterization of wastes (item 6b)

The OEWG 7 considered:

- Proposal of corrections to Annexes VIII and IX to the Basel Convention.
- Hazard characteristic H11
- Report on the review of work on separate identification in the WCO Harmonized Commodity Description and Coding System
- Progress of work of the Joint Correspondence Group with the UN Subcommittee of Experts on the Globally Harmonized System of Classification and Labelling of Chemicals

Any progress will be reported to COP 10.

Review of Issues under MPPI (item 6c)

The OEWG 7:

- Appreciated the efforts from the ad-hoc follow-up group of the Mobile Phone Partnership Initiative (MPPI) to revise the overall guidance document and the five technical guidelines
- Requested Parties and others to comment on the revised guidance document by **31 October 2010**
- ❖ **No** comments were received, the revised guidance document will be submitted to COP 10 for its consideration.

Environmentally sound dismantling of ships (item 7a)

Parties developed the criteria necessary to carry out a preliminary assessment of the Hong Kong and Basel Conventions in 4 broad categories:

- the scope and applicability of the Conventions
- the level of control of the Conventions
- the enforcement mechanisms of the two Conventions
- exchange of information / cooperation and coordination under the two Conventions

Environmentally sound dismantling of ships (item 7a)(2)

Parties established methodology for the continuation of the work:

- Identify the relevant articles, regulations and decisions of each Convention; on this basis, develop their own preliminary assessments
- Each Party is invited to submit its results to the Secretariat by **15 April 2011**
- The information received will be submitted to COP 10, for consideration and action

Cooperation between the BC and the IMO (item 7b)

1. The OEWG 7:

- requested the Secretariat to conduct a legal analysis of the application of the Basel Convention on board ships by 31 March 2011
- Invited Parties to Parties to comment on the analysis by 30 June 2011

2. The OEWG 7 invited the IMO Secretariat to submit comments on competencies of and gaps between the Conventions

Enforcement of the Convention and combatting illegal traffic (item 7d)

The OEWG 7 agreed:

- To convene, subject to availability of resources, by electronic means a small expert group to develop a draft instruction manual for the legal profession on the prosecution of illegal traffic
 - That the small expert group, **if convened**, will report on the outcome of its work to COP 10
- Called Parties and others to make financial contributions for the activities to combat illegal traffic
- The SBC continues to maintain a collection of national legislation, and make it available on the website

Addressing the interpretation of Article 17.5 of the BC (item 7f)

1. The Secretariat recalled decision IX/25 that had requested the Working Group:
 - *to continue the development of a draft decision to reach an agreed interpretation of paragraph 5 of Article 17 of the Convention, taking into account the work of the COP9 and the non-exhaustive list of possible elements for a draft decision set out in the annex to decision IX/25.*
2. The OEWG 7 reiterated the invitation to Parties and other stakeholders to submit comments and views to the development of a draft decision on that non-exhaustive list to the Secretariat by **31 January 2011**
3. The Secretariat was requested to compile all comments and submit them to COP10

Resource mobilization and sustainable financing (item 8)

1. Mandate of the OEWG 7: monitor and provide guidance on the implementation of decision VIII/34 on resource mobilization and sustainable financing.
2. OEWG 7 requested the Secretariat to:
 - Continue efforts to build capacity of BCRCs for resource mobilization
 - Explore further joint activities on resource mobilization with the Secretariats of the RC and SC
 - Participate actively in the consultative process on financing led by the ED

Financial Matters (item 10)

The OEWG 7:

- Approved an increase of \$505,675 in the programme budget for 2011, to be financed from the reserve and fund balance of the Basel Convention Trust Fund for the programme activities in 2011
- Revised the programme budget for the Technical Cooperation Trust Fund for 2011 and recognized that an increase in funding of \$3,158,350 is required for the programme activities in 2011
- Agreed on measurable indicators of achievement and performance and requested the ES to use them in the preparation of the programme budget for the biennium 2012-2013

Work Programme of the OEWG for 2012-2013 (item 11)

The OEWG 7:

- Took note of the preliminary draft work programme of the Open-ended Working Group for 2012–2013 (available in the report of the OEWG 7)
- Stressed the need to ensure that the work programme builds on the strategic framework and is consistent with the programme budget, recognizing the need for more focus and making relevant proposals
- Requested the Secretariat to:
 - prepare and make available to Parties by 15 May 2011 a revised draft work programme
 - prepare a draft decision on the work programme of the Open-ended Working Group for COP 10

Twentieth anniversary celebrations (item 14)

- The Secretariat reported on the Twentieth anniversary celebrations and the launch of the Basel Waste Solutions Circle, a global initiative to promote the protection of human health and livelihood through the environmentally sound management of hazardous wastes worldwide
- The OEWG 7:
 - agreed that the Basel Waste Solutions Circle should reward concrete activities furthering the objectives of the Bali Declaration and showcase best efforts to promote its implementation
 - requested the Secretariat to develop further the concept of the Basel Waste Solutions Circle

Context: previous and future BC meetings

1. Previous meetings

- COP-9: 23-27 June 2008, Bali, Indonesia
- 1st COP-9 Expanded Bureau: 23-24 June 2009, Geneva
- ICC-7: 25-26 June 2009, Geneva
- ExCOPs: 22-24 February 2010, Bali, Indonesia

2. Future meetings

- Joint Bureaux meeting (tentative, to be determined)
- ICC-8: **21-23 March 2011**
- 2nd COP-9 Expanded Bureau: **24-25 March 2011**
- COP-10: **17-21 October 2011**, Cartagena de Indias, Colombia

Context: future related meetings

- 26th UNEP Governing Council/Global Ministerial Environment Forum: 21-25 February 2011, Nairobi
- Fifth Meeting of the Conference of the Parties of the Stockholm Convention: 25-29 April 2011, Geneva
- 19th Session of the Commission on Sustainable Development: 2-13 May 2011, New York
- Fifth Meeting of the COP of the Rotterdam Convention: 20-24 June 2011, Geneva

Thank you !