

## BASEL COP8 HIGHLIGHTS: MONDAY, 27 NOVEMBER 2006

The eighth meeting of the Conference of the Parties (COP8) to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal began with an opening plenary, and delegates heard speeches, addressed organizational matters, reviewed implementation of decisions adopted by COP7. Delegates established the Committee of the Whole (COW) to deal with substantive issues, including the strategic plan for the implementation of the Convention to 2010 and ship dismantling. A contact group was formed to discuss the budget.

### OPENING OF THE MEETING

Anna Tibaijuka, UN HABITAT Executive Director, underscored that by 2007 half of the global human population will be living in urban areas, and that problems such as absence of clean water, lack of appropriate housing and waste management will increase. She summarized UN HABITATS' activities to support the Convention's work, including: tackling illegal transfer of hazardous waste by improving governance at the local and national level and improving capacity to enforce existing legislation; implementing activities to establish new livelihoods for urban dwellers, which utilize sustainable waste management; and applying integrated waste management.

Achim Steiner, UNEP Executive Director, stated that management of e-waste is a global problem that can only be solved through collective action, and stressed the need to manage waste and avoid dumping. He recalled the incident in Côte d'Ivoire, which he said reminded the world of governments' inability to protect citizens and of the need to implement international conventions. Steiner said it is time for UN institutions to work in a coherent and integrated manner to solve problems, avoiding duplication of efforts.

Sachiko Kuwabara-Yamamoto, Basel Convention Executive Secretary, highlighted the obstacles of enforcement and the lack of an effective tracking system for the transboundary movement of hazardous wastes. Lamenting limited recognition and support for the Convention as an instrument for environmental protection, she underscored the need to raise the Convention's profile and to better coordinate with the International Convention for the Prevention of Pollution from Ships (MARPOL), International Maritime Organization (IMO) and International Labour Organization (ILO).

Mariano Arana, Ministry of the Environment, Uruguay, spoke on behalf of COP7 President Saul Iruet, and highlighted achievements since COP7, including Stockholm Convention's

COP1 and the compromise agreement reached under the Strategic Approach to International Chemical Management (SAICM). He invited parties to continue improving efficiency, avoid duplication of efforts by reinforcing chemical-related secretariats' work programmes, and strengthen the Basel Convention Regional and Coordinating Centres (BCRCCs).

Mutahi Kagwe, Minister of Information and Communications, Kenya, welcomed participants to Africa's first Basel COP. He emphasized the need for hazardous waste disposal to be addressed at its source, saying Africa has become the world destination for obsolete equipment, and applauded the Convention's foresight in addressing these pressing issues.

Welcoming COP8's e-waste theme, Wangari Maathai, 2004 Nobel Peace Laureate, Kenya, noted that African countries are the largest importers of recycled and obsolete electronic equipment and emphasized the vulnerability of the poor to potentially hazardous e-waste. She highlighted the effects of toxic dumping in the region, lamented the lack of awareness about hazardous wastes' environmental and health risks and the vulnerability of the poor to these risks. Urging delegates to strengthen the Convention, she called for, *inter alia*: capacity building in environmentally sound management and disposal of hazardous waste; a common code of conduct on toxic dumping; and the transfer of technical know-how and best practices.

Finland, on behalf of the European Union (EU), welcomed the high-level segment on e-waste, and promised constructive cooperation on other key issues, including synergies, ship-dismantling, financial matters and legal matters such as the Ban Amendment.

Uganda, on behalf of the G-77/CHINA, noted that developing countries' priorities must be taken into account as they are the most vulnerable to the effects of hazardous waste. She called for effective legal mechanisms, such as the ratification of the Basel Protocol on Liability and Compensation for Damage resulting from Transboundary Movements of Hazardous Wastes, and underscored the need for a strengthened emergency mechanism.

### ORGANIZATIONAL MATTERS

Delegates elected Kivutha Kibwana, Minister of the Environment, Kenya, as President of COP8. COP8 President Kibwana thanked delegates for his election, expressed his solidarity with Côte d'Ivoire and noted that COP8 provides an opportunity to sensitize Africans to issues relating to the Basel Convention. He expressed hope that the meeting would be a milestone for the treatment of e-waste, and urged discussion of financing to ensure the Convention's sustainability.

Roy Watkinson (UK), Christian Maquieira (Chile) and Yue Ruisheng (China) were elected Vice Presidents, and Sokol Klincarov as Rapporteur (Former Yugoslav Republic of Macedonia). COP8 President Kibwana invited comments on the provisional agenda (UNEP/CHW.8/1/Add.1). COTE D'IVOIRE supported by the EU, ETHIOPIA, NIGERIA, BENIN, GAMBIA, SENEGAL and MALI, proposed adding a specific agenda item on the dumping of toxic waste in Côte d'Ivoire. SWITZERLAND, supported by NIGERIA, CHILE, BOTSWANA, BURKINA FASO and JAPAN, proposed a separate agenda item on e-waste. Noting no objection to either proposal, COP8 President Kibwana declared the provisional agenda adopted with these amendments. He also announced that he would consult with the Bureau on the process for developing a declaration on e-waste.

COP8 President Kibwana suggested, and delegates agreed, to establish a COW, with authority to establish contact groups, to deal with all substantive agenda items during the first three days of the meeting. Vice President Maquieira was elected Chair of the COW. Delegates also agreed to hold the high-level segment on Thursday, 30 November and Friday, December 1, and to reconvene in plenary on Friday, to adopt decisions and the report of the meeting.

#### COMMITTEE OF THE WHOLE

Chair Maquieira opened the deliberations in the COW, and delegates established a contact group on legal and financial implications to deal with drawing up a budget and to address legal and other matters.

**IMPLEMENTATION OF DECISIONS ADOPTED BY COP7: Strategic Plan for the Implementation of the Basel Convention to 2010:** Pierre Portas, Basel Deputy Executive Secretary, discussed e-waste in the context of the Convention. Stressing the need for the Convention to remain relevant, he drew attention to the lack of clarity concerning definition of terms, such as used equipment and end-of-life products. Portas cited the Mobile Phone Partnership Initiative as a successful strategy, and highlighted the role of BCRCCs in capacity building and awareness raising.

Pierre Portas introduced the draft decision on the Strategic Plan for the Implementation of the Basel Convention to 2010 (UNEP/CHW.8/12), noting the need for increased funding for the BCRCCs.

The EU, ROMANIA and BULGARIA stressed the need to support national implementation of the Basel Convention, expressed concern that financial constraints impeded the strategic plan's implementation and called for the strategic plan to be linked to the Millennium Development Goals and the Johannesburg Plan of Implementation. INDIA tabled a proposal to establish a sub-regional centre for South Asia in Colombo, Sri Lanka.

CHINA called for enhanced efforts relating to technical and legal aspects of the transboundary movement of hazardous wastes. CUBA expressed support for the strategic plan as a source for mobilizing resources to deal with hazardous wastes, noting that it also takes into account priorities such as chemical security at the international level.

JAPAN stressed their continued effort to support and realize the strategic plan.

UGANDA supported by SOUTH AFRICA, TANZANIA, MEXICO, SENEGAL, BRAZIL, KENYA, CHILE, CHINA, NIGERIA, ETHIOPIA and ZAMBIA, emphasized the vital role of BCRCCs for implementing the Convention and called for additional financial support.

KENYA and ZAMBIA highlighted the BCRCC Pretoria's work, noting that improved financing would further expand its impact. MEXICO suggested language on strengthening of public/private partnerships with NGOs in order to assist current

projects. BRAZIL proposed wording in addition to "on synergies with other conventions to support the strengthening of BCRCCs" to include broader issues.

Calling for the enhancement of BCRCCs to assist developing countries in increasing their ability to control hazardous waste movements, CHINA suggested language reinforcing this. NORWAY stressed the role of the COP in assessing the implementation of the strategic plan and proposed this be undertaken at COP9. Chair Maquieira adjourned discussion on the issue until Tuesday, 28 November.

**Ship dismantling:** The Secretariat introduced reports on ship dismantling (UNEP/CHW.8/7 and UNEP/CHW.8/7/Add.1), and outlined: the outcomes of the Joint Working Group of the ILO, IMO and Basel Convention on Ship Scrapping and Environmentally Sound Management of Ship Dismantling; the issue of abandonment of ships on land and in ports; and environmentally sound management of ship dismantling.

In ensuing discussions, delegates called for a contact group to be established and COW Chair Maquieira suggested holding informal consultations facilitated by COP Vice President Watkinson. The EU and NORWAY welcomed the IMO's steps towards an international legally binding instrument on ship recycling, saying it would provide equivalent controls and enforceability to the Basel Convention, whereas Basel Action Network (BAN), on behalf of the NGO PLATFORM ON SHIP BREAKING, expressed concern that it would not. MEXICO requested the negotiations take into account issues raised in the ILO and Basel Convention about worker safety and environmental concerns. CHINA stressed the need for an operational regulation of ship-wrecking taking into account relevant environmental standards.

The EU tabled its draft conference room paper on how to manage ships recognized as waste before such international regulation is in place. The NGO PLATFORM ON SHIP BREAKING urged short- and medium-term action and JAPAN called for early adoption and implementation of the IMO instrument. INDIA opposed international regulation of ship dismantling saying it should be addressed nationally and that ships destined for dismantling are not waste as 99% of their materials can be recycled.

On requirements to report abandoned ships, NIGERIA called for funding to support developing countries in reversing the tendency of treating developing countries as "dumping grounds." The IMO reported on its work on a draft convention on ship-wreck removal, where issues including geographic application are under negotiation.

#### IN THE BREEZE WAYS

The first Basel COP held in Africa opened amidst vivid memories of the incident of toxic waste dumping from the vessel *Probo Koala*, in Abidjan, Côte d'Ivoire. Many delegates expressed concern about the uphill task they face to establish rules to further implement the Convention, prevent developing countries from becoming "dumping grounds" for hazardous waste, and rise to the new challenges of e-waste management. Some saw potential partnerships as a catalyst to move swiftly ahead, while others feared that voluntary approaches may jeopardize the Convention's effectiveness.

Another issue that occupied delegates' minds was the outcome of the Group on POPs that met on Sunday, 26 November and Monday, 27 November, to address the issue of low-grade POPs waste. The potentially divergent expectations amongst delegates on this issue was illustrated by the fact that while some delegates suggested the discussion was far from finalized, and expressed concern that the proposed acceptable concentrations of POPs waste may lead to trade in contaminated fly-ash, others reported that the issue had been resolved.