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SECOND MEETING OF THE CONFERENCE OF THE PARTIES TO THE BASEL CONVENTION ON THE CONTROL OF TRANSBOUNDARY MOVEMENTS OF HAZARDOUS WASTES AND THEIR DISPOSAL

Geneva, 21 - 25 March 1994

REPORT OF THE SECOND MEETING OF THE CONFERENCE OF THE PARTIES TO THE BASEL CONVENTION ON THE CONTROL OF TRANSBOUNDARY MOVEMENTS OF HAZARDOUS WASTES AND THEIR DISPOSAL

I. INTRODUCTION

1. The Second Meeting of the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal was held in Geneva from 21 to 25 March 1994.

II. OPENING OF THE MEETING

2. The Meeting was opened at 10 a.m. on 21 March 1994 by Mr. Balíño (Uruguay), President of the First Meeting of the Conference of the Parties.

3. The representative of Switzerland, speaking on behalf of Ms. Ruth Dreifuss, Federal Councillor, Head of the Federal Department of the Interior, responsible for environmental affairs in Switzerland, welcomed all participants and expressed the satisfaction of the Swiss Government that the meeting of the Conference of the Contracting Parties was being held in Geneva. He assured the Contracting Parties that Switzerland would continue making a considerable contribution to the implementation of the Basel Convention and to the functioning of the Secretariat, hosted in Geneva by the Government of Switzerland.

4. The opening statement by Ms. E. Dowdeswell, Executive Director of the United Nations Environment Programme (UNEP), was read out on her behalf by the Coordinator of the Secretariat of the Basel Convention, Dr. I. Rummel-Bulksa. In her statement, Ms. Dowdeswell expressed her satisfaction that as of that day 64 States and the European Community (EC) were Parties to the Basel Convention, an increase of 33 Parties since the First Meeting of the Conference of the Parties in December 1992. That was a clear sign that the Basel Convention was recognized by the countries in the world as a main tool in dealing with the transboundary movements of hazardous wastes and their environmentally sound management and disposal. Ms. Dowdeswell congratulated the two working groups and the Open-ended Ad Hoc Committee on their achievements in the time between the two meetings of the Conference of the Parties. She said that among the most important

issues to be considered by the Conference was the ban of exports of hazardous wastes, not only for their final disposal, but also for recovery and recycling operations. She expressed concern about the impending crisis in management of hazardous wastes, the generation of which globally amounted to over 400 million tons a year.

5. In his opening statement, Mr. Baliño, President of the First Meeting of the Conference of the Parties, referred to the work done by the Secretariat of the Basel Convention since the first meeting of the Conference and expressed the Bureau's satisfaction with the Secretariat's performance and its ability to grasp the subject of the environmentally sound management of hazardous wastes and their transboundary movement. He particularly emphasized that all provisions of the Convention were closely interrelated and therefore had to be implemented simultaneously: model national legislation, development of a protocol on liability and compensation, a manual for the implementation of the Convention, establishment of centres for training and technology transfer, training programmes, etc. He drew the attention of the Contracting Parties to the need to provide funds that would allow proper implementation of the provisions of the Convention. He referred to the ban on transboundary movements of hazardous wastes from developed to developing countries. He encouraged the participants to adopt the decisions which would allow the further smooth implementation of the Basel Convention.

6. The Coordinator of the Secretariat of the Basel Convention thanked the outgoing President for the work of the Bureau under his chairmanship since the First Meeting of the Conference of the Parties, in particular in relation to the preparation of the documentation for the Second Meeting of the Conference.

III. ADOPTION OF THE AGENDA

7. At the opening plenary session, on 21 March, the Conference adopted the following agenda as contained in document UNEP/CHW.2/1:

1. Opening of the meeting.
2. Adoption of the agenda.
3. Organizational matters.
4. Consideration of the implementation of the Basel Convention, including the decisions of the First Meeting of the Conference of the Parties:
 - (a) Rules of procedure;
 - (b) Development of a Protocol on Liability and Compensation for Damage Resulting from Transboundary Movements of Hazardous Wastes and their Disposal;
 - (c) Establishment of an Emergency Fund to assist in case of accidents resulting from the transboundary movements of hazardous wastes and their disposal;
 - (d) Model national legislation for the implementation of the Basel Convention;
 - (e) Mechanisms for the implementation of the Basel Convention;

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- (f) Manual for the implementation of the Convention;
- (g) Prevention and monitoring of illegal traffic in hazardous wastes;
- (h) Bilateral, multilateral and regional agreements concluded in accordance with Article 11 of the Convention;
- (i) Technical guidelines for the environmentally sound management of wastes subject to the Basel Convention;
- (j) Elements and criteria for the environmentally sound transboundary movements of hazardous wastes destined for recovery operations;
- (k) Decision I/22 of the Conference of the Parties;
- (l) Notification and Movement Document for the implementation of the Basel Convention;
- (m) Transmission of information in accordance with Article 13 of the Basel Convention;
- (n) Designation of the competent authorities and focal points of the Basel Convention;
- (o) Institutional and financial arrangements for the implementation of the Basel Convention, including the 1995-1996 budget;
- (p) Establishment of regional centres for training and technology transfer;
- (q) Training programmes on the implementation of the Basel Convention;
- (r) Cooperation with the United Nations bodies, specialized agencies and regional systems and organizations;
- (s) Cooperation between the International Maritime Organization and the United Nations Environment Programme in the review of existing rules, regulations and practices with respect to transport of hazardous waste by sea;
- (t) Relationship of the Basel Convention and the Convention on the Prevention of Marine Pollution by Dumping of Wastes and other Matter, 1972;
- (u) Harmonization of procedures of the Basel Convention and the International Atomic Energy Agency Code of Practice on the International Transboundary Movement of Radioactive Waste;
- (v) Responsibility of States for the implementation of the Basel Convention;
- (w) The role of the Secretariat of the Basel Convention in the implementation of Agenda 21 of the United Nations Conference on Environment and Development.

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5. Consideration of the implementation of decisions 17/5, 17/13 and 17/18 adopted by the Governing Council of UNEP at its seventeenth session.
6. Other matters.
7. Adoption of the report.
8. Closure of the meeting.

IV. ORGANIZATIONAL MATTERS

A. Attendance

8. The following Parties to the Basel Convention were represented: Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Belgium, Brazil, Canada, Chile, China, Commission of the European Communities, Cyprus, Czech Republic, Denmark, Ecuador, Egypt, El Salvador, Estonia, Finland, France, Hungary, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Japan, Kuwait, Latvia, Luxembourg, Malaysia, Maldives, Mauritius, Mexico, Monaco, Netherlands, Nigeria, Norway, Panama, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Saint Lucia, Saudi Arabia, Senegal, Seychelles, Slovak Republic, Slovenia, Spain, Sri Lanka, Sweden, Switzerland, Syrian Arab Republic, Trinidad and Tobago, United Kingdom, United Republic of Tanzania and Uruguay.
9. The following States not party to the Convention were represented by observers: Albania, Barbados, Belarus, Benin, Bolivia, Bulgaria, Central African Republic, Colombia, Congo, Croatia, Cuba, Germany, Ghana, Greece, Haiti, Honduras, Iraq, Israel, Jamaica, Kenya, Madagascar, Malawi, Malta, Morocco, New Zealand, Paraguay, Russian Federation, Singapore, South Africa, Thailand, Tunisia, Turkey, Ukraine, United States of America, Venezuela, Viet Nam, Yemen, Zaire, Zambia and Zimbabwe.
10. Observers from the following United Nations bodies, specialized agencies and research institutes were also present: Economic Commission for Europe (ECE), Economic Commission for Asia and the Pacific (ESCAP), Economic Commission for Latin America and the Caribbean (ECLAC), United Nations Industrial Development Organization (UNIDO), United Nations Institute for Training and Research (UNITAR), World Health Organization (WHO), World Meteorological Organization (WMO), International Atomic Energy Agency (IAEA), International Labour Organization (ILO), International Maritime Organization (IMO), General Agreement on Tariffs and Trade (GATT) and Helsinki Institute for Crime Prevention and Control, affiliated with the United Nations (HEUNI).
11. Observers from the following intergovernmental organizations participated: Association for Cooperation in Communication and Technology (ACCT), Council of the European Communities, Customs Cooperation Council (CCC), Intergovernmental Authority on Drought and Development (IGADD), League of Arab States, Organization of African Unity (OAU) and Organisation for Economic Cooperation and Development (OECD).
12. The following other industrial and non-governmental organizations were represented: Bureau Veritas, Europäische Umweltakademie (EUA), Globe International, Green Forum (Philippines), Greenpeace International, International Chamber of Commerce (ICC), International Council on Metals and the Environment (ICME), International Federation of Inspection Agencies (IFIA), International Precious Metals Institute (IPMI), Industrial Technical Research Institute (ITRI), Mining Association of Canada (MAC), Oxfam, Instituto Universitario de Ciencias Ambientales (SDA/ELS), Swiss Crops Projects Agriculture-Rural Development and United States Chamber of Commerce.

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B. Election of officers

13. The following officers were elected by acclamation at the first plenary session:

President: Mr. C. Lamb (Australia)

Vice-Presidents: Mr. Wang Yang Zu (China)
Ms. M. Uusalu (Estonia)
Mr. P.A.F. Dixon (Nigeria)

Rapporteur: Mr. M.E. Araujo Padilla (El Salvador)

14. Following his election, Mr. Christopher Lamb, President of the Second Meeting of the Conference of the Parties, made a statement in which he emphasized the importance of the Basel Convention for the protection of the environment. He said that the Second Meeting of the Conference was of crucial importance for its proper implementation. He underlined that legal, technical and financial matters had to be carefully addressed at the Meeting and appropriate decisions would have to be adopted. Technical and capacity building was of special importance.

C. Organization of work

15. At the first plenary session, the Conference established two working groups to deal with the agenda items. The Legal Working Group, under the chairmanship of Argentina, would deal with agenda items 4 (a) - (h) and work on the legally-related provisions of agenda items 4 (r) and 4 (u) - (w), as well as agenda item 5. The Technical Working Group, under the chairmanship of the United Kingdom, would deal with agenda items 4 (i) - (j) and 4 (l) - 4 (s), and the technically-related provisions of agenda items 4 (r) and 4 (u) - (w), as well as agenda item 5. The Chairmen of the two Working Groups would contact each other to ensure that in relation to the agenda items that referred to both technical and legal matters there was coordination between the two Groups. It was decided that the item on institutional, financial and procedural matters (item 4 (o)) would be considered by an additional sub-working group under the chairmanship of Finland.

16. Also at the first plenary session, the Conference decided to establish a Contact Group on agenda item 4 (k) (decision I/22 of the First Meeting of the Conference of the Parties related to the ban on export of hazardous wastes). The Contact Group would be led by one developing country and one developed country, namely by Senegal and Canada. The mandate of the Contact Group would be the collection of the main proposals related to the subject and the identification of the main problems in order to allow subsequent adoption of an appropriate decision on the subject.

D. Credentials

17. The Bureau, in its capacity as the Credentials Committee, reviewed the credentials presented by the Contracting Parties present at the Meeting and presented its report to the plenary session.

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V. CONSIDERATION OF THE IMPLEMENTATION OF THE BASEL CONVENTION,
INCLUDING THE DECISIONS OF THE FIRST MEETING
OF THE CONFERENCE OF THE PARTIES

18. During the discussion on agenda item 4 (k), some delegates emphasized that the question of the ban on movements of hazardous wastes from developed to developing countries required further discussion and consideration and, in that context, the representative of Senegal, the representative of Sri Lanka and the representative of Denmark made some proposals. The delegation of Finland informed the Conference that the Nordic countries were going to present their common position to the Contact Group for further consideration. The delegation of El Salvador informed the plenary that the proposal from the Latin American and Caribbean countries would also be forwarded to the Contact Group.

19. Several representatives informed the plenary that their Governments and/or parliaments were in the process of becoming Parties to the Basel Convention.

20. The Ministerial part of the Second Meeting of the Conference of the Parties to the Basel Convention was opened by Ms. E. Dowdeswell, Executive Director of UNEP, who made a statement. The Conference heard 53 statements by the representatives of 36 Parties to the Convention, including 18 Ministers and Deputy Ministers responsible for the environment, 15 non-Parties, including five Ministers and Deputy Ministers responsible for the environment, one intergovernmental organization and one non-governmental organization.

21. The representatives who took the floor expressed their satisfaction at the increase in the number of Parties to the Basel Convention since the First Meeting of the Conference and commended the efforts of the Bureau and the Secretariat of the Basel Convention in the inter-sessional period and in preparing the documentation for the Meeting. Several representatives called on all countries that had not yet done so to become Parties to the Convention. A number of representatives of non-Parties reported on progress in their countries towards ratification of the Convention.

22. Many representatives gave an account of the measures taken in their countries to prevent the import of hazardous wastes and to improve the management of wastes and minimization of their generation. Several representatives stressed the need for international technical and financial assistance and capacity-building in their efforts. They supported the establishment of regional centres for training and technology transfers regarding the management of hazardous wastes and the minimization of their generation, as provided for in Article 14, paragraph 1, of the Convention, and expressed their satisfaction with ongoing efforts in that direction. A number of representatives said that attempts had been made to export hazardous wastes to their countries without their consent. In that connection, many representatives emphasized that much of the hazardous waste supposedly exported for recycling was, in fact, intended for final disposal. One representative, noting that his country had successfully prevented attempted illegal imports, pointed out that the considerable costs of such preventive action had to be borne by the countries themselves.

23. Many representatives recommended faster development of a protocol on liability and compensation for damage resulting from transboundary movements of hazardous wastes and their disposal. They emphasized that the main goal of the Basel Convention was environmentally sound management of hazardous wastes and minimization of their generation.

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24. Many representatives strongly supported a total ban on exports of hazardous wastes from OECD to non-OECD countries, not only for final disposal but also for recovery and recycling operations. Some representatives were, however, of the opinion that under the strict control of the Basel Convention and when the importing country possessed the technological capability to recover raw materials from hazardous wastes, the transboundary movements of such wastes should be allowed. All representatives emphasized that countries must cooperate under the Basel Convention in the further development of the exchange of appropriate technology and experience for the environmentally sound management of hazardous wastes.

25. Some representatives emphasized that financial constraints should not limit the use of all six official United Nations languages at future meetings of the Conference.

26. The statements presented and the abbreviated versions are available, on request, from the Secretariat of the Basel Convention.

27. The plenary decided to establish a Working Group to consider agenda item 4 (k) which would start its deliberations under the chairmanship of Finland and report back to the plenary session on its efforts to achieve a consensus decision on the subject.

28. The President outlined the numerous activities undertaken at the regional level which would strengthen the Basel Convention:

(a) The Mediterranean States were developing a draft protocol on the prevention of pollution from the transboundary movements of hazardous wastes and their disposal;

(b) The Permanent Commission of the South Pacific (CPPS) was preparing a draft protocol on transboundary movements of hazardous wastes and their disposal which related to the States parties to the Lima Convention;

(c) Under the auspices of the Economic Commission for Latin America and the Caribbean, the States of the region were preparing a protocol on the control and management of hazardous wastes;

(d) The States of the South Pacific Forum were commencing work on the preparation of a legal instrument on a ban on imports of hazardous wastes into the region and control of transboundary movements of hazardous wastes within the region in cooperation with the South Pacific Regional Environment Programme;

(e) Countries in Asia and the Pacific were working on the prevention and monitoring of illegal traffic in hazardous wastes;

(f) The Organization of African Unity (OAU) was serving as the secretariat to the Bamako Convention on the Ban of the Import into Africa and the Control of Transboundary Movements of All Forms of Hazardous Wastes within Africa.

29. The representatives of the countries of the Latin America and the Caribbean region expressed their gratitude to the Secretariat of the Basel Convention for its assistance in the organization of the meeting of Latin American and Caribbean countries on 17 and 18 March 1994, which allowed these countries to establish a common position for the meeting of the Contracting Parties.

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30. At its plenary session on 24 March, the Conference of the Parties received the reports from the chairmen of the Legal and Technical Working Groups as well as the report of the subgroup on institutional, procedural and financial matters. At its plenary meetings on 24 and 25 March, after presentation of each of the draft decisions emerging from the Working Groups by the respective chairmen, the Conference adopted decisions II/1 to II/8 and II/10, II/11 and II/13 to II/27. All decisions adopted by the Second Meeting of the Conference of the Parties are annexed to the present report.

31. Following the adoption of decision II/2 on the establishment of an Emergency Fund, the representative of Hungary stated that his delegation had joined the consensus on the decision on the clear understanding that the Fund should provide prompt and adequate assistance in emergency situations for all Parties to the Basel Convention, including the countries with economies in transition. Its conviction was justified by the fact that decision I/7 recognized the eligibility of the countries with economies in transition for support by the Trust Funds (para. 5). He hoped that his delegation's understanding would receive overall support in the further elaboration of the establishment of the Emergency Fund.

32. With regard to decision II/18, it was the understanding of the Conference that the implementation would ensure the compatibility of equipment.

33. Following the adoption of decision II/19 on the establishment of regional centres for training and technology transfer, the representative of Argentina drew the attention of the Conference to the fact that a detailed proposal on the establishment of a regional centre in Argentina had been prepared and requested the Secretariat to circulate that proposal as an addendum to document UNEP/CHW.2/Inf.11.

34. At the time of the adoption of decision II/27, Belgium and France informed the plenary that the distribution of the contributions for 1995-1996 should be brought to the attention of the Belgian and French authorities and that the Secretariat of the Basel Convention would be informed about the Belgian and French positions in due course. The delegation of Slovakia drew the attention of the plenary to the fact that the United Nations General Assembly had recently revised Slovakia's scale of assessment.

35. The representative of the European Community reserved its position as to its contribution to the Trust Funds for the Implementation of the Basel Convention which should not exceed 2.5 % according to the United Nations scale of assessment of the total budget.

36. The representative of Denmark was pleased to announce that its Government was planning to make an additional contribution of US\$ 50,000 to the Technical Assistance Trust Fund of the Basel Convention for 1994.

37. Replying to the question on the financial involvement of UNEP in the budget for the implementation of the Basel Convention, the Executive Director of UNEP said that the Environment Fund could only assist in the implementation of the Basel Convention by advancing funds on a reimbursable basis since UNEP's financial resources were also limited. Referring to Agenda 21, the Executive Director stressed that some activities related to its implementation could be carried out by UNEP and emphasized the need to avoid any potential duplication of work. The President thanked the Executive Director for the clarifications and observed that he expected that the Expanded Bureau would be glad to learn of any potential duplications which might be avoided either in the Convention Secretariat or in UNEP itself.

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38. Agenda item 5 on the consideration of the implementation of decisions 17/5, 17/13 and 17/18 adopted by the Governing Council of UNEP at its seventeenth session was dealt with in decision II/9. At the time of the adoption of this decision, the delegation of Sweden pointed out that the main responsibility for the implementation of the Governing Council's decisions remained with UNEP itself and that their implementation should be covered from UNEP's financial resources. This was the understanding of the Parties when adopting decision II/9 of the Conference of the Parties.

39. The adoption by the Conference on 25 March 1994 of decision II/12 was followed by several statements. The President emphasized that the adoption without a vote of this decision was a great success of the Second Meeting of the Conference of the Parties and thanked all delegates for their hard work which had led to the adoption of this decision.

40. The representative of Malaysia expressed his gratitude that it had been possible to avoid a vote which would have split the unity that had prevailed since the inception of work on control of the transboundary movement of hazardous wastes and their disposal. The consensus achieved had once again demonstrated the ability of countries to rise above national differences and work together for the future good of humankind. He thanked all those who had contributed to achieving the consensus and said that the resulting decision made everyone a winner, and paved the way to move forward.

41. Speaking on behalf of the Group of 77 and China, the representative of Sri Lanka welcomed the historic decision by which it was possible to reconcile many different views and ultimately reach consensus. This decision should be qualified as one of the greatest advances in global environmental protection. The developing countries remained united, committed and articulate in the pursuit of their goal, thereby building up a critical mass of support. He mentioned in particular the role played by Senegal, the Nordic countries, Greenpeace and the Secretariat. He stated that the decision would benefit all countries in the world: industrial countries would develop clean technologies to deal with their own hazardous wastes and would be able to export their know-how and the developing countries would become less polluted.

42. The representative of Japan expressed his gratitude that it had been possible to reach a decision without resorting to a vote. While accepting the need to control transboundary movements of hazardous wastes, the Japanese Government believed that some movements from OECD to non-OECD countries resulted in the environmentally sound management of such wastes and moreover offered developing countries an equitable opportunity to pursue sustainable development. He thanked the Chairmen, the Bureau, the Secretariat and the Chairmen of the Contact Group for their valuable contributions.

43. The representative of Senegal endorsed the statements by the representatives of Malaysia and Sri Lanka on behalf of the Group of 77 and China and congratulated the delegations of the OECD countries on their desire to arrive at a consensus with all Parties present. He also welcomed the democratic, if difficult, nature of the negotiations that had led to the agreement. Expressing the hope that the spirit which led to the agreement would endure long after 31 December 1997, the date of its implementation, he appealed for assistance to the Secretariat of the Basel Convention to give it the required means to put this new political will into practice and for the Basel Convention to be implemented in its entirety.

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44. The representative of Australia stated that her country was pleased to join the consensus on the important decision that had been reached after long and difficult negotiation. She expressed warm appreciation for the efforts of the President, the Contact Group, the Chairmen of the Working Groups, Finland and the coordinators, Canada and Senegal. Australia's approach to the negotiations had been based on the view that the Basel Convention was one of the most important international instruments for the protection of the environment. Her Government was committed to full compliance with its provisions. The decision just taken did not constitute an amendment to the Convention but her Government would respect it. She expressed reservations about some aspects of this decision because environmentally sound recovery of waste, subject to the Basel Convention, had the potential to reduce the quantity of residuals, which would otherwise go to final disposal, and could yield economic advantages. Australia would continue to implement the Basel Convention in a way which provided the maximum protection to the environment and to those most vulnerable to abuse.

45. The representative of Canada thanked all delegates, especially the representative of Senegal, for their long hours of work and stressed his country's commitment to sustainable development. Environmentally sound recycling and recovery contributed to the reduction of pollution, but such operations often involved transboundary movements of hazardous wastes. The provisions of the Basel Convention had been implemented in Canadian legislation. Canada nevertheless respected the wishes expressed by the Parties to the Basel Convention that the export of hazardous wastes from OECD to non-OECD countries should be banned, and would comply with the decisions that had been taken, while noting that the decision did not constitute an amendment to the Convention.

46. The representative of Greece, speaking on behalf of the European Union, was pleased that a consensus had been reached and paid tribute to the political will of the Ministers in Brussels, as well as to the contribution of Mr. Brinkhorst, in achieving a result that was a good starting point on the long road to securing a good future for the environment.

47. The representative of Austria welcomed the decision that had just been adopted by consensus and said that his country had joined it for political reasons. He added, however, that he would have preferred to see a flexible system which would have given room for well-specified exceptions in the field of recycling and recovery. Furthermore, he stressed the fact that this decision did not change the rights and obligations of Parties which could only be done by way of amendments according to the procedures of the Basel Convention. The effective implementation of the decision and of the whole Convention could only be assured with the introduction of an effective system for the monitoring and evaluation of compliance by Parties with the Convention as the provisions at present contained in Article 19 were not sufficient.

48. The representative of New Zealand expressed her support for the decision on the ban on the export of hazardous wastes from OECD to non-OECD countries. As an observer, New Zealand had come to the meeting to listen to the opinion of non-OECD partners and was happy to respect it.

49. The representative of Brazil joined other delegations in expressing her satisfaction with the agreement reached by consensus among the contracting Parties. She did, however, express the hope that the countries that had not yet ratified the Basel Convention would do so in order to achieve an even broader international commitment which she believed was

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necessary for a policy of sustainable development to be properly implemented. She stressed the importance of cooperation among all countries to help the developing countries to reduce the generation of hazardous wastes in their territories.

50. The representative of the Russian Federation considered the consensus which had been reached as a wise step in achieving ecological and political progress in international cooperation. He emphasized that the spirit of the Second Meeting of the Conference of the Parties to the Basel Convention should serve as an example for other meetings and conferences of UNEP. He stated that this achievement would serve future generations.

VI. ADOPTION OF THE REPORT

51. The Second Meeting of the Conference of the Parties adopted its report, subject to the addition by the Secretariat of the part reflecting the discussions of the plenary session of the afternoon of 25 March.

VII. CLOSURE OF THE MEETING

52. After the customary exchange of courtesies, the President declared the Meeting closed at 5.40 p.m. on 25 March 1994.

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Annex

Decision II/1

Liability and compensation

The Conference,

Recalling decision I/5 of the First Meeting of the Conference of the Parties to the Basel Convention establishing an ad hoc working group of legal and technical experts to consider and develop a draft protocol on liability and compensation, possibly including the establishment of an International Fund for compensation for damage resulting from the transboundary movements of hazardous wastes and their disposal,

Having considered the report of the Ad Hoc Working Group, attached to the note of the Secretariat contained in document UNEP/CHW.2/3,

1. Decides to extend the mandate of the Ad Hoc Working Group;
2. Notes with appreciation the progress report presented to it by the Ad Hoc Working Group of Legal and Technical Experts to consider and develop a draft protocol on liability and compensation for damage resulting from transboundary movements of hazardous wastes and their disposal;
3. Requests the Secretariat of the Basel Convention to address the questionnaire requiring information on the factual basis concerning liability and compensation to States Parties and non-Parties to the Basel Convention and to present a report on this subject to the next meeting of the Ad Hoc Working Group;
4. Requests States to respond to the Secretariat questionnaire as soon as possible;
5. Requests the Ad Hoc Working Group to make all efforts to finalize the proposed draft Articles of the Protocol in order to present it for consideration and possible adoption by the Third Meeting of the Conference of the Parties to the Basel Convention.

Decision II/2

Emergency fund

The Conference,

Recalling Article 14, paragraph 2, of the Basel Convention, which stipulates that "the Parties shall consider the establishment of a revolving fund to assist on an interim basis in case of emergency situations to minimize damage from accidents arising from the transboundary movements of hazardous wastes and other wastes or during the disposal of those wastes,"

Further recalling decision I/14 of the First Meeting of the Conference of the Parties to the Basel Convention which requested the Ad Hoc Working Group of Legal and Technical Experts established by decision I/5 to consider the elements that would be required for establishing such an emergency fund, the relationship between such an emergency fund and the rules of procedures to be adopted in the field of liability and compensation, and the availability of institutions able to provide prompt and adequate assistance in emergency situations,

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Having considered the related parts of the report of the Ad Hoc Working Group of Legal and Technical Experts in relation to the implementation of decision I/14 of the First Meeting of the Conference of the Parties on an "Emergency Fund" as well as the note of the Secretariat contained in document UNEP/CHW.2/4,

1. Requests the Ad Hoc Working Group of Legal and Technical Experts to continue the consideration of the elements that would be required for establishing an emergency fund, and the relationship between such an emergency fund and the Protocol on Liability and Compensation under consideration by the same group;

2. Further requests the Ad Hoc Working Group to present a progress report on its work to the Third Meeting of the Conference of the Parties.

Decision II/3

Mechanism for the implementation of the Basel Convention

The Conference,

Recalling decision I/2 of the First Meeting of the Conference of the Parties to the Convention, by which it has established the Open-ended Ad Hoc Committee,

1. Welcomes the work of the Open-ended Ad Hoc Committee and requests it to meet as necessary between the meetings of the Conference of the Parties in order to fulfil the task placed on it by the Conference of the Parties, subject to available resources;

2. Requests the Open-ended Ad Hoc Committee to fulfil the task placed on it by decisions II/5, II/10, II/11, II/12, II/14, II/16, II/17, II/18, II/19, II/22, II/26 and II/27 and present a report on its work to the Third Meeting of the Conference of the Parties;

3. Requests the Secretariat of the Basel Convention to convene the Open-ended Ad Hoc Committee and any subgroups the Committee needs to establish to facilitate its work, subject to available resources.

Decision II/4

Illegal traffic in hazardous wastes
and other wastes

The Conference,

Expressing its concern at the problems of illegal traffic in hazardous wastes and other wastes, in particular to developing countries and to the countries in transition,

Recalling decision I/15 of the First Meeting of the Conference of the Parties,

Having considered the report of the Secretariat contained in document UNEP/CHW.2/8,

Having further considered the Open-ended Ad Hoc Committee recommendations contained in its decision I/6 on "Illegal Traffic in Hazardous Wastes and other Wastes,"

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1. Requests the Parties to promulgate or develop stringent national legislation on the control of transboundary movements of hazardous wastes taking into account the elements contained in document UNEP/CHW/C.1/1/7;

2. Further requests the Parties to incorporate in their legal systems, appropriate sanctions or penalties for the illegal traffic in hazardous wastes and other wastes;

3. Requests the regional commissions and secretariats of regional conventions and protocols to take an effective role in the monitoring and prevention of illegal traffic in hazardous wastes and other wastes and to coordinate their efforts and activities in this regard with the Secretariat of the Basel Convention;

4. Requests all Governments to promote interministerial coordination within their respective Governments to prevent and penalize illegal traffic in hazardous wastes and other wastes;

5. Requests the Secretariat of the Basel Convention:

(a) To assist Parties in developing national legislation to deal with illegal traffic and hazardous wastes and other wastes;

(b) To assist Parties in capacity-building including the development of an appropriate infrastructure, with a view to the prevention and penalization of illegal traffic in hazardous wastes and other wastes and to ensure the involvement of national authorities and focal points for the Basel Convention in the prevention and monitoring of illegal traffic in hazardous wastes and other wastes;

(c) To liaise with the various regional commissions and secretariats of regional conventions and protocols with a view to promoting the development of compatible regional mechanisms and systems;

(d) To promote the implementation of the appropriate parts of chapter 20 of Agenda 21 related to the illegal traffic in hazardous wastes, in particular its section D. In this regard a report should be presented to the relevant substantive session of the United Nations Commission on Sustainable Development;

(e) To continue its cooperation with the Customs Co-operation Council Secretariat, with a view to ensuring better control of the import and export of hazardous wastes and other wastes and, in particular, identifying hazardous wastes and other wastes subjected to the Basel Convention in the Harmonized System;

(f) To include, in cooperation with the Governments concerned, the Customs Co-operation Council and the International Maritime Organization, the training of customs and ports officers in relation to the import and export of hazardous wastes and other wastes in its programme of training activities;

(g) To receive, collate and disseminate information on illegal traffic in hazardous wastes and other wastes promptly and systematically with a view to ensuring that hazardous waste detected and rejected by one country is not dumped in another;

(h) To explore the possibility of cooperation with Interpol in cases of illegal traffic in hazardous wastes and other wastes;

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(i) To establish a well-defined reporting system on cases of illegal traffic in hazardous wastes and other wastes, which would:

- (i) Request Parties to report to the Secretariat on any cases of illegal traffic in hazardous wastes and other wastes as defined by the Basel Convention and the actions taken to monitor and prevent such cases;
 - (ii) Include a submission by the Secretariat to the Conference of the Parties to the Basel Convention of reports, based on information received from the Parties, on cases of illegal traffic in hazardous wastes and other wastes and the publication of these reports;
- (j) To enhance its cooperation in the prevention and monitoring of illegal traffic in hazardous wastes and other wastes with non-governmental organizations, industry and the private sector;
- (k) To submit a report on the above-mentioned activities to the third meeting of the Conference of the Parties to the Basel Convention.

Decision II/5

Model national legislation for the transboundary movement and management of hazardous wastes

The Conference,

Recalling paragraph 4 of Article 4 of the Basel Convention which requests the Parties to take appropriate legal, administrative and other measures to implement and enforce the provisions of the Convention,

Convinced that an essential element of the fulfilment by the Parties of their obligations under the Convention is to promulgate new or adapt existing laws and regulations in accordance with the provisions of the Basel Convention,

Aware of the need of States to be assisted - upon request - in the formulation of their law and the development of institutional arrangements in the field of hazardous wastes, in particular in the implementation of the Basel Convention,

1. Accepts as a possible guideline the revised draft model national legislation annexed to the report of the Secretariat contained in document UNEP/CHW.2/5;

2. Requests the Secretariat to make available as a possible guideline the revised draft model national legislation to Parties as well as to non-Parties;

3. Also requests the Secretariat, in providing technical assistance in the field of national legislation, to take into account, inter alia, the revised draft model national legislation;

4. Invites Parties and non-Parties to communicate to the Secretariat their comments on the revised draft model national legislation;

5. Further requests the Secretariat to update, as necessary, the revised draft model national legislation and to report to the Open-ended Ad Hoc Committee for the implementation of the Convention.

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Decision II/6

Designation of competent authorities and focal points

The Conference,

Recalling Article 5 of the Basel Convention which requires the Parties to designate or establish one or more competent authorities and one focal point and to inform the Secretariat of the Basel Convention, within three months of the date of the entry into force of the Convention for them, of the agencies they have designated as their competent authorities and focal point,

Also recalling decision I/10 of the First Meeting of the Conference of the Parties,

Having considered the report of the Secretariat contained in document UNEP/CHW.2/17,

Invites Parties which have not yet informed the Secretariat of the designation of their competent authorities and focal points to do so as soon as possible.

Decision II/7

Relationship of the Basel Convention and the London Convention, 1972

The Conference,

Recalling decision I/4 of the First Meeting of the Conference of the Parties related to the harmonization of the Basel Convention and London Convention, 1972, and the cooperation between the Secretariats of both Conventions in order to achieve this aim,

Having considered the report of the Secretariat contained in document UNEP/CHW.2/23,

1. Welcomes the response of the Contracting Parties to the London Convention, 1972 to the request made to them by decision I/4 of the First Meeting of the Conference of the Parties to the Basel Convention;

2. Invites the remaining Parties to the London Convention, 1972, who are not Parties to the Basel Convention, to become Parties in order to facilitate the coordination and harmonization of the two Conventions;

3. Welcomes the decision by the Sixteenth Consultative Meeting of the London Convention, 1972 to prohibit the dumping of industrial wastes and radioactive wastes and other radioactive matter at sea, as well the incineration at sea of industrial and sewage sludge;

4. Requests the Secretariat of the Basel Convention to continue its cooperation with the London Convention, 1972 in the preparatory process for the amendment of the London Convention, 1972 in order to achieve the goal of harmonization of the two Conventions and to report to the third meeting of the Conference of the Parties to the Basel Convention.

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Decision II/8

Cooperation with the International Atomic Energy Agency

The Conference,

Recalling decision I/6 of the First Meeting of the Conference of the Parties on the harmonization of the procedure of the Basel Convention and the Code of Practice on the international Transboundary Movement of Radioactive Waste,

Having considered the report of the Secretariat contained in document UNEP/CHW.2/25,

1. Welcomes the adoption of the Code for the Safe Carriage of Irradiated Nuclear Fuel, Plutonium and High-Level Radioactive Wastes in Flasks on Board Ships;

2. Requests the Secretariat of the Basel Convention to continue its cooperation with the International Atomic Energy Agency (IAEA) and the International Maritime Organization in relation to the implementation of the Code;

3. Further requests the Secretariat to continue its cooperation with the IAEA for the implementation of IAEA's General Conference resolution, GC(XXXVII)/Res/615, dated October 1993, which requested the Director-General to initiate preparations for a convention on the safety of waste management as soon as the ongoing process of developing waste management safety fundamentals had resulted in broad international agreement.

Decision II/9

Follow-up to UNEP Governing Council decisions 17/5, 17/13 and 17/18

The Conference,

Recalling the Decisions adopted by the Governing Council of UNEP at its seventeenth session in May 1993 on:

- (a) Application of environmental norms by military establishments (17/5);
- (b) Carriage of irradiated nuclear fuel by sea (17/13);
- (c) Environmentally sound management of hazardous wastes (17/18),

Having considered the report by the Secretariat on the follow-up to the UNEP Governing Council decisions 17/5, 17/13 and 17/18 contained in document UNEP/CHW.2/29,

1. Take note of the fact that the Secretariat of the Basel Convention has been given the responsibility, in cooperation with other units of UNEP, to work on matters closely related to the Basel Convention through the implementation of the Governing Council decisions 17/5, 17/13 and 17/18;

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2. Appreciate that the part of the work undertaken by the Secretariat of the Basel Convention to implement the Governing Council decisions 17/5, 17/13 and 17/18 which are not part of the work programme adopted by the First Meeting of the Conference of the Parties to the Basel Convention has been supported financially from funds from UNEP.

Decision II/10

Bilateral, multilateral and regional agreements or arrangements

The Conference,

Recalling that Article 11, paragraph 1, of the Basel Convention permits Parties to enter into bilateral, multilateral and regional agreements or arrangements regarding the transboundary movements of hazardous wastes or other wastes with Parties and non-Parties provided that such agreements or arrangements do not derogate from the environmentally sound management of hazardous wastes and other wastes as required by the Basel Convention and that these agreements or arrangements shall stipulate provisions which are not less environmentally sound than those provided for by the Convention, in particular taking into account the interest of developing countries,

Recalling that Article 11, paragraph 2, provides that the provisions of the Basel Convention shall not affect transboundary movements which are taking place pursuant to agreements concluded prior to the entry into force of the Basel Convention for the relevant Parties to such agreements provided that such agreements are compatible with the environmentally sound management of hazardous wastes and other wastes as required by the Basel Convention,

Recalling decision I/9 of the First Meeting of the Conference of the Parties,

Having considered the report of the Secretariat contained in document UNEP/CHW.2/9 on the implementation of decision I/9 referred to above,

Requests Parties which have entered, in accordance with Article 11, into bilateral, multilateral and regional agreements or arrangements to report, consistent with national laws and regulations, to the Open-Ended Ad Hoc Committee, through the Secretariat of the Basel Convention, on the conformity of such agreements or arrangements taking into consideration the list of questions annexed to the present decision.

Annex

Questions to be considered by Parties to bilateral, multilateral or regional agreements or arrangements when reporting on their conformity with the provisions of Article 11 of the Convention

In preparation of its report to the Conference of the Parties, the following questions could be used as a guide by a Party when it is reviewing one of its agreements which falls under Article 11. The questions would help the Party focus on particular issues, however it is important to note that the agreement must be viewed in its entirety and not strictly provision by provision. It is also recognized that the purpose of the said agreement and the geographic, legal and economic circumstances of the other Contracting Party(ies) constitute elements of this review. A Party's Report would have to indicate that the different requirements found in paragraph 1 or 2 of Article 11, as appropriate, are met in conformity with the Basel Convention.

1. Does the agreement address the control of the transboundary movement of hazardous wastes and other wastes subject to the Basel Convention?
2. Taking all practicable steps, will the management of hazardous wastes under the agreement or arrangement be such that it will protect human health and the environment against adverse effects?
3. How does the agreement or arrangement take into account the interests of developing countries?
4. Does the agreement or arrangement require prior notification?
5. Does the agreement or arrangement require prior consent?
6. Does the agreement or arrangement provide for the tracking of the wastes?
7. Does the agreement or arrangement provide for alternative measures for wastes which cannot be managed as planned?
8. Does the agreement or arrangement provide for the identification of authorities responsible for the implementation of such an agreement?
9. Are the obligations of the Article 11 Agreement or arrangement consistent with the control measures related to transboundary movements of hazardous wastes as provided for by the Basel Convention?
10. Are the wastes covered by the Article 11 agreement or arrangement consistent with the scope of the Basel Convention?

Decision II/11

Scope of the Basel Convention

The Conference,

Having considered the issue of the scope of the Basel Convention in relation to its applicability to radioactive waste as raised by the Secretariat in document UNEP/CHW.2/26,

1. Invites Parties and non-Parties to present their views on this issue to the Secretariat of the Basel Convention;
2. Requests the Secretariat on the basis of these views in collaboration with the International Atomic Energy Agency (IAEA) to prepare a document for further consideration by the Meeting of the Open-ended Ad Hoc Committee for the Implementation of the Convention.

Decision II/12

The Conference,

Recalling the request of the Group of 77 countries at the First Meeting of the Conference of the Parties to the Basel Convention held in Uruguay, from 3 to 4 December 1992, for the total ban on all exports of hazardous wastes from OECD countries to non-OECD countries,

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Recognizing that transboundary movements of hazardous wastes from OECD to non-OECD States run a high risk of not constituting an environmentally sound management of hazardous wastes as required by the Basel Convention,

1. Decides to prohibit immediately all transboundary movements of hazardous wastes which are destined for final disposal from OECD to non-OECD States;
2. Decides also to phase out by 31 December 1997, and prohibit as of that date, all transboundary movements of hazardous wastes which are destined for recycling or recovery operations from OECD to non-OECD States;
3. Decides further that any non-OECD State, not possessing a national hazardous wastes import ban, which allows the import from OECD States of hazardous wastes for recycling or recovery operations up to 31 December 1997, should inform the Secretariat of the Basel Convention that it would allow the import from an OECD State of hazardous wastes for recycling or recovery operations by specifying the categories of hazardous wastes which are acceptable for import, the quantities to be imported, the specific recycling/recovery process to be used, and the final destination/disposal of the residues which are derived from recycling/recovery operations;
4. Requests the Parties to report regularly to the Secretariat on the implementation of this decision, including details of the transboundary movements of hazardous wastes allowed under paragraph 3 above. Further requests the Secretariat to summarize and compile these reports for consideration by the Open-ended Ad Hoc Committee. After considering these reports, the Open-ended Ad Hoc Committee will submit a report based on the input provided by the Secretariat to the Conference of the Parties to the Convention;
5. Requests further the Parties to cooperate and work actively to ensure the effective implementation of the present decision.

Decision II/13

Technical guidelines for the environmentally sound management of wastes subject to the Basel Convention

The Conference.

Recalling decision I/19 of the First Meeting of the Conference of the Parties to the Basel Convention accepting the Framework Document on the Preparation of Technical Guidelines and the four Technical Guidelines on priority waste streams and extending the mandate of the Technical Working Group to review the three revised Draft Technical Guidelines on Disposal Operations and to prepare Technical Guidelines for other priority operations and waste streams subject to the Basel Convention,

Further recalling the decision I/7 of the Open-ended Ad Hoc Committee on Technical Guidelines for the Environmentally Sound Management of Wastes subject to the Basel Convention recommending that the Conference of the Parties adopt the three draft Technical Guidelines on Disposal Operations (Specially Engineered Landfill D5; Incineration on Land D10; Used Oil Re-refining or other Re-uses of Previously Used Oil R9) and extend the mandate of the Technical Working Group with the aim to continue the preparation of new technical guidelines as identified by the Group itself, namely on:

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(a) First priority: D9 Physico-chemical treatment; R4 Recycling/reclamation of metals and metal compounds; Y17 Wastes resulting from surface treatment of metals and plastics;

(b) Second priority: Y1 Clinical wastes; D8 Biological treatment; R1 Use as fuel; R2 Solvent reclamation/regeneration,

Having considered the report of the Secretariat on the Implementation of decision I/19 which contains the Framework Document and the four Technical Guidelines on Priority Waste Streams (UNEP/CHW.2/10) and the three Technical Guidelines on Priority Disposal Operations (UNEP/CHW.2/10/Add.1),

Noting with appreciation the progress achieved by the Technical Working Group in the preparation of the Framework Document and the Technical Guidelines for Priority Waste Streams and Disposal Operations subject to the Basel Convention,

1. Confirms adoption of the Framework Document on the Preparation of Technical Guidelines for the Environmentally Sound Management of Wastes Subject to the Basel Convention and the four Technical Guidelines, namely on Hazardous Wastes from the Production and Use of Organic Solvents (Y6), on Waste Oils from Petroleum Origins and Sources (Y8), on Wastes Comprising or Containing PCBs, PCTs and PBBs (Y10), and on Waste Collected from Household (Y46); and requests the Secretariat to publish and disseminate the Framework Document and the four Technical Guidelines between Parties and non-Parties together with a cover note explaining the nature of the document;

2. Adopts provisionally the three draft Technical Guidelines on: Specially Engineered Landfill (D5), on Incineration on Land (D10) and Used Oil Re-refining or other Re-uses of Previously Used Oil, subject to the additional comments to be provided to the Secretariat by States and concerned international organizations, and to publish and disseminate them to Parties and non-Parties;

3. Extends the mandate of the Technical Working Group with the aim that this Group further revise, as appropriate, the Draft Technical Guidelines adopted provisionally and continue the preparation of new technical guidelines as identified by the Technical Working Group, namely on:

(a) First priority:

D9 Physico-chemical treatment
R4 Recycling/reclamation of metals and metals compounds
Y17 Wastes resulting from surface treatment of metals and plastics

(b) Second priority:

Y1 Clinical wastes
D8 Biological treatment
R1 Use as a fuel
R2 Solvent reclamation/regeneration.

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Decision II/14

Transboundary movements of hazardous wastes
destined for recovery operations

The Conference,

Recalling decision I/16 of the First Meeting of the Conference of the Parties to the Basel Convention requesting its Technical Working Group to review the issue and consider the views submitted by States and interested organizations and to present its recommendations to the Second Meeting of the Conference of the Parties,

Noting paragraph 20.33 (c) of UNCED Agenda 21, chapter 20, which calls upon countries "to promote the development of control procedures for the transboundary movements of hazardous wastes destined for recovery operations under the Basel Convention that encourage environmentally and economically sound recyclable options",

Also recalling decision I/7 of the Open-ended Ad Hoc Committee recommending to the Conference to extend the mandate of the Technical Working Group to further develop the draft paper on transboundary movements of hazardous wastes destined for recovery operations, and invite interested Parties and non-Parties, and as the case may be non-governmental organizations and/or the private sector, in association with the Secretariat of the Basel Convention, to prepare two or three case-studies related to recovery operations involving two countries in full respect of the environmentally sound management of hazardous wastes destined to such recovery operations,

Having considered the draft paper on transboundary movements of hazardous wastes destined for recovery operations annexed to the note of the Secretariat (UNEP/CHW.2/12),

1. Welcomes the draft paper on transboundary movements of hazardous wastes destined for recovery operations;

2. Decides to extend the mandate of the Technical Working Group to further develop the draft paper on transboundary movements of hazardous wastes destined for recovery operations, taking into account the comments formulated by States and interested organizations and to present a revised version of this document to the Third Meeting of the Conference of the Parties for adoption in consultation with the Open-ended Ad Hoc Committee;

3. Requests Parties together with non-Parties, and as the case may be non-governmental organizations, including the private sector, in association with the Secretariat of the Basel Convention, to prepare two or three case-studies along the lines developed in the terms of reference annexed to the present decision, related to recovery operations involving two countries in full respect of the environmentally sound management of the hazardous wastes destined to such recovery operations;

4. Further requests the Technical Working Group to develop guidelines to assist States on the question of hazardous wastes under the Basel Convention, including hazardous wastes destined for recovery operations and in cooperation with the Open-ended Ad Hoc Committee to present such guidelines to the Third Meeting of the Conference of the Parties for consideration.

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Annex

Proposed terms of reference for the case-studies on the environmentally sound management of hazardous wastes destined for recovery operations

1. Identify the hazardous waste streams that are subject to recovery operations and the national/domestic infrastructure including legal and administrative arrangements that sustain such operations.
2. Describe the existing trade in wastes identified and the structure and characteristics of the industries involved.
3. Identify the technological options for the management of such wastes including their economic and technical aspects.
4. Carry out a practical assessment of the facilities which recover the hazardous wastes, how the residues arising from the process are being disposed of and their impact on health and the environment.
5. Compare environmental and economic aspects of the recovery of secondary raw material from hazardous wastes and their production from virgin materials taking into account the disposal of any residues generated through the process.

Decision II/15

Possible effects of the Basel Convention on transboundary movements of waste ozone-depleting chemicals, including halons, intended for recovery

The Conference,

Recalling Article 1 of the Basel Convention concerning the scope of the Convention, in particular its paragraph 1 (a),

Having considered the report by the Secretariat on possible effects of the Basel Convention on transboundary movements of waste ozone-depleting chemicals, including halons, intended for recovery contained in document UNEP/CHW.2/11,

Also noting the consideration of the Technical Working Group in regard to its role in the case of a need for technical interpretation of the Convention,

1. Requests its Technical Working Group in close cooperation with the Ozone Secretariat to further work on the issue of the classification of the waste ozone-depleting chemicals as hazardous wastes in accordance with the Basel Convention definition;
2. Also requests its Technical Working Group to perform the functions of its advisory body in case of a need for technical interpretation of the Convention;
3. Further requests its Technical Working Group to report on the issue of waste ozone-depleting chemicals and any cases involving a technical interpretation of the Convention to the Third Meeting of the Conference of the Parties.

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Decision II/16

Documentation: Notification and Movement Document

The Conference,

Recalling decision I/21 of the First Meeting of the Conference of the Parties to the Basel Convention adopting, provisionally, the forms for both the notification and the movement documents and recommending to Parties to use these forms,

Noting that some delegations to the Open-ended Ad Hoc Committee emphasized the need to harmonize the forms of the Basel Convention with related forms being developed by the OECD and the EU (para. 16 of the report of the First Meeting of the Open-ended Ad Hoc Committee for the implementation of the Basel Convention),

Having considered the report of the Secretariat contained in document UNEP/CHW.2/14,

1. Requests the Parties to continue using the forms adopted provisionally and to inform the Secretariat on their experience in the use of these forms;

2. Requests the Secretariat to continue its work on the format of the notification and movement documents, based on the replies received and comments to be sent by the Parties and international organizations concerned to the Secretariat by June 1994;

3. Instructs the Secretariat to report on paragraphs 1 and 2 above to the Third Meeting of the Conference of the Parties in consultation with the Open-ended Ad Hoc Committee, and to present its recommendations for any changes to be made to the notification and movement documents.

Decision II/17

Transmission of information

The Conference,

Recalling Article 13 of the Basel Convention which stipulates that the Parties to the Convention shall, through the Secretariat, provide information to each other and in some cases also to non-Party States on a set of issues concerning transboundary movements of hazardous wastes and their disposal,

Further recalling decision I/11 of the First Meeting of the Conference of the Parties which requested the Secretariat to prepare an analytical summary of the reports submitted to it and to present the summary to its Open-ended Ad Hoc Committee for evaluation of the information contained therein and a report on its findings to the Second Meeting of the Conference of the Parties.

Having considered the information provided by the Parties to the Convention presented in documents UNEP/CHW/C.1/1/5, UNEP/CHW.2/15, UNEP/CHW/C.1/1/Inf.3, UNEP/CHW.2/Inf.5 and decision I/4 of the Open-ended Ad Hoc Committee,

1. Urges Parties to report, as soon as possible, to the Secretariat in accordance with Article 13, on activities undertaken in 1993, using the form provided by the Secretariat for this purpose;

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2. Also urges those Parties who have already presented an interim report for 1993 to provide any complementary information, as necessary, well in time, in order to enable the Secretariat to prepare a comprehensive analytical summary of the information provided by the Parties for the whole of 1993 to be considered by the Open-ended Ad Hoc Committee for the Implementation of the Basel Convention at its next meeting;

3. Further requests the Secretariat to issue in one document all information received up to date and presented in various documents and distributed to Parties, non-Parties and non-governmental organizations.

Decision II/18

Establishment of the information management system of the Basel Convention in accordance with decision I/4 of the First Meeting of the Open-ended Ad Hoc Committee for the Implementation of the Basel Convention

The Conference,

Recalling decision I/4 of the First Meeting of the Open-ended Ad Hoc Committee inviting the Conference to consider the need to develop an electronic information system and integrated telecommunications network to improve data gathering, organization, treatment and dissemination, and to provide assistance to developing countries in the collection and processing of these databases on a detailed request by the Secretariat that includes relevant technical and financial requirements,

Having considered the report by the Secretariat on the establishment of the information management system of the Basel Convention contained in document UNEP/CHW.2/16,

1. Requests the Secretariat of the Basel Convention to develop the information management system of the Basel Convention based on the outcome of the preliminary review, and to report on progress to the Third Meeting of the Conference of the Parties in consultation with the Open-ended Ad Hoc Committee;

2. Requests the Parties to allocate adequate financial resources for a minimum period of two years (1994-1995), taking into account the costs estimated as indicated under paragraph 9, to allow the Secretariat to develop the Information Management System;

3. Also requests the Parties to make additional contributions for the budget for 1994 to allow starting the establishment of the information management system already in 1994, subject to the availability of resources.

Decision II/19

Establishment of regional centres for training and technology transfer

The Conference,

Recalling decision I/13 on the establishment of regional centres for training and technology transfer of the First Meeting of the Conference of the Parties to the Basel Convention in which it was decided that one of the functions of the Open-ended Ad Hoc Committee of the Conference would be to identify the specific needs of different regions and subregions for

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training and technology transfer and to report to the Second Meeting of the Conference of the Parties on ways and means for the establishment and functioning of such Centres, including considering appropriate funding mechanisms for this purpose,

Having considered the note of the Secretariat contained in document UNEP/CHW.2/19,

Having further considered the Open-ended Ad Hoc Committee recommendations contained in its decision I/5 on "Establishment of Regional Centres for Training and Technology Transfer", as annexed to the present decision,

Requests the Conference of the Parties to provide a strong mandate for the Open-ended Ad Hoc Committee at its second meeting, as already proposed in Committee decision I/5, to conclude the selection of sites for the establishment of regional centre(s) based on the results of the feasibility studies and taking into account the existence of any related regional centre and inform the Third Meeting of the Conference of the Parties of the decision taken to enable the initiation of activities for the establishment of the regional centre(s).

Annex

Committee decision I/5 on establishment of regional centres for training and technology transfer

The Open-ended Ad Hoc Committee,

Recalling decision I/13 on Establishment of Regional Centres for Training and Technology Transfer adopted by the Parties at their first meeting,

Also recalling Agenda 21 adopted by UNCED in June 1992 regarding the establishment of regional centres for training and technology transfer as outlined in paras 20.28(d) and 20.31(e) of Chapter 20 of Agenda 21,

Having considered the report by the Secretariat (UNEP/CHW/C.1/1/6 of 18 August 1993) on information received from the interested Parties to the Basel Convention in relation to the Establishment of Regional Centres for Training and Technology Transfer,

Convinced that States should cooperate to ensure the environmentally sound management of hazardous wastes and the minimization of their generation, according to the specific needs of different regions and sub-regions,

Recognizing that cooperation in the establishment of regional or subregional centres for training and technology transfer will facilitate the environmentally sound management of hazardous wastes and minimization of their generation,

1. Recommends that the following guidelines be used as a basis to determine the suitability of a potential pilot centre(s);

(a) Presence or potential use of an existing suitable facility, e.g. technology centre, university;

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(b) Having access to appropriately-qualified individuals suitable for a hazardous waste management training programme and who can act as future instructors or trainers;

(c) Availability of a personnel pool to implement a hazardous waste management system;

(d) Commitment to invest time and resources into the maintenance, continuation and advancement of the centre;

(e) Programme must be fully recognized and promoted by senior government authorities;

(f) Centres should be located in a reasonably accessible area within a candidate region;

2. Invites those countries in a position to do so, individually or collectively, on a bilateral or multilateral basis, to consider supplying financial resources and technically qualified person(s) recruited from either government or the private sector to collaborate in the preparation of the feasibility study(ies) in the candidate regions.

Each feasibility study should include:

(a) Identifying and prioritizing the needs of the region;

(b) Identifying the resources available in the region;

(c) Identifying the resources required to address the needs;

(d) Identifying the benefits to be gained through establishment of a pilot centre;

(e) Obtaining views from candidate regions as to the types of technical assistance or training they consider to be of the highest priority;

(f) Determining if a centre is immediately required to address the prioritized needs;

(g) Determining what resources are available from each candidate region and what resources would be required;

3. Invites the Secretariat of the Basel Convention to take the necessary steps for the preparation of feasibility studies in Africa, Asia and the Pacific, Latin America and the Caribbean and Eastern Europe. This may involve acting as a liaison with individual host countries to provide for local support for the person(s) conducting the feasibility study. The candidate region should also provide, as appropriate, qualified person(s) to assist the technical representative in conducting the feasibility study;

4. Requests the Secretariat to prepare a report, based on a review of the feasibility studies, for distribution to all Parties and Signatories;

5. Requests the second meeting of the Conference of the Parties, based on the completion of the feasibility studies, to select sites for the establishment of regional centre(s). In case this is not possible, requests the Conference of the Parties to provide the mandate to the Open-ended Ad Hoc Committee to conclude the selection and inform the third meeting of the Conference of the Parties of the decision taken to initiate activities for the establishment of the regional centre(s).

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Training and seminars related to the Basel Convention

The Conference,

Recalling decision I/20 adopted by the First Meeting of the Conference of the Parties in which it requested the Secretariat of the Basel Convention and, as appropriate, in cooperation with other units in UNEP and other relevant international organizations, to organize national and regional seminars or workshops and training programmes on the implementation of the Basel Convention and the environmentally sound management of wastes and hazardous wastes; help promote the adoption of cleaner production methods and new low-waste technologies; and invited Parties to contribute technically and financially towards the organization of seminars, workshops and training programmes and towards covering the cost of participation of developing country representatives,

Recognizing the need of developing countries, Parties to the Convention, for assistance through training activities to facilitate the implementation of the Basel Convention,

Having considered the report of the Secretariat on implementation of decision I/20 (UNEP/CHW.2/20),

1. **Requests** the Secretariat, within available resources, to assist Parties and regions to develop training programmes, including curricula at national level in collaboration with national authorities, and continue to organize national and regional seminars or workshops and training programmes and curricula on the implementation of the Basel Convention and the environmentally sound management of wastes and hazardous wastes;

2. **Further requests** the Secretariat to promote the adoption of cleaner production methods and new low-waste technologies, in collaboration with relevant units in UNEP and other relevant international organizations, in particular with the Industry and Environment Programme Activity Centre of UNEP and UNITAR;

3. **Also requests** the Secretariat to continue promoting the environmentally sound management of wastes subject to the Basel Convention and to promote public awareness through participation in related international conferences, symposiums and seminars in order to make presentations and give lectures and to publish the newsletter and publications in this field;

4. **Invites** all Parties who are in position to do so to contribute technically, through, for example, contributions in kind of resource persons, and financially towards the organization of seminars, workshops and training programmes and towards covering the costs of participation of developing country representatives.

Decision II/21

**The role of the Secretariat of the Basel Convention
in the implementation of Agenda 21**

The Conference,

Recalling decision I/23 of the First Meeting of the Conference of the Parties on the role of the Secretariat of the Basel Convention in the implementation of Agenda 21 which called upon the Secretariat to carry out, within available resources, as a priority, a list of activities on issues raised in Agenda 21 which have relevance to the Basel Convention,

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Aware of the need for assistance to developing countries in implementing the Convention,

And aware that Agenda 21 seeks to promote the development of control procedures for the transboundary movement of hazardous waste destined for recovery operations under the Basel Convention that encourage environmentally economically sound recycling operations,

Recognizing that very limited resources are available under the Convention to undertake this task,

1. Invites Parties and other countries to provide additional financial resources to the Technical Cooperation Trust Fund to enable the Secretariat to assist developing countries effectively in implementing the Convention, through the priority activities to be undertaken as set out in Agenda 21, and referred to in its decision I/23;

2. Invites Parties and other countries to consider providing resource persons, experts in hazardous-waste-related issues, to advise developing countries, as required, in order to strengthen their institutional capacities in relation to the priority activities referred to in decision I/23.

Decision II/22

Global waste survey

The Conference,

Recalling that the Parties at their first meeting were apprised of the information base being developed as a result of the Global Waste Survey and the potential benefit of such information in future decision-making on technical guidelines, technical centres, training and other capacity-building activities identified in its decision I/23 concerning the role of the Secretariat in the implementation of Agenda 21 of UNCED,

Further recalling that during the Sixteenth Consultative Meeting of the Contracting Parties to the London Convention, 1972 (November 1993) a number of parties to the London Convention, 1972, which are also Parties to the Basel Convention, and the participating countries in the Global Waste Survey recognized that the Secretariat of the Basel Convention would be an appropriate forum to take over the Global Waste Survey, when the transitional phase carried out by the International Maritime Organization (IMO) is completed,

Having considered the report by the Secretariat on the Global Waste Survey contained in document UNEP/CHW.2/24,

1. Requests the Secretariat to review further the relevance of the Global Waste Survey to the work of the Basel Convention and to report to the Bureau on its findings;

2. Requests, subject to the outcome of the review, the Secretariat of the Basel Convention to inform the Office for the London Convention 1972 on the readiness of the Parties to the Convention to keep, maintain, review and update the Global Waste Inventory and Database as from 1995;

3. Requests the Secretariat of the Basel Convention to continue cooperating closely with IMO, the concerned UNEP offices, namely IE/PAC and IRPTC/PAC and with other interested intergovernmental organizations, in particular the World Health Organization (WHO), in the conduct of the Global Waste Survey;

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4. Further requests the Secretariat of the Basel Convention to report on the decision of the Bureau and on any progress in the transfer and management of the Global Waste Inventory and Database to the Third Meeting of the Conference of the Parties in consultation with the Open-ended Ad Hoc Committee for the Implementation of the Basel Convention.

Decision II/23

Cooperation with United Nations bodies, specialized agencies and regional systems and organizations

The Conference,

Recalling decision I/8 of the First Meeting of the Conference of the Parties to the Basel Convention requesting the Secretariat to continue its cooperation with all United Nations bodies, specialized agencies and regional systems and organizations, and other appropriate organizations in order to achieve the objectives of the Basel Convention,

Further recalling that the Parties at their first meeting agreed that the Secretariat of the Basel Convention should cooperate specially with the Customs Cooperation Council, and possibly IMO and other competent organizations in order to find means to achieve effective control at borders for transboundary movements of wastes (see para. 27 of the report of the First Meeting of the Parties to the Basel Convention - UNEP/CHW.1/24),

Having considered the report by the Secretariat on the implementation of decision I/8 contained in document UNEP/CHW.2/21,

1. Requests the Secretariat to continue its cooperation with the United Nations bodies, specialized agencies and regional systems and organizations and other international and regional organizations in the pursuance of the fulfilment of the obligations and achievement of the objectives of the Basel Convention;

2. Further requests the Secretariat to cooperate specifically with the Customs Co-operation Council and other relevant organizations in order to examine the possibility and practicability of including separate headings or subheadings for hazardous wastes in the Harmonized System of the Customs Co-operation Council in order to enhance border control of these wastes.

Decision II/24

Cooperation between the International Maritime Organization and the United Nations Environment Programme in the Review of existing rules, regulations and practices with respect to transport of hazardous wastes by sea

The Conference,

Recalling decision I/18 of the First Meeting of the Conference of the Parties requesting the Secretariat to cooperate further with International Maritime Organization, and consult, as appropriate, with the United Nations Committee of Experts on the Transport of Dangerous Goods, as well as with other relevant international organizations, in the development of criteria for the definition of hazardous characteristics,

Having considered the report of the Secretariat on the implementation of decision I/18 contained in document UNEP/CHW.2/22,

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1. Requests the Secretariat to continue its cooperation, in particular, with the International Maritime Organization, the Economic Commission for Europe, the United Nations Industrial Development Organization, the International Programme of Chemical Safety, the Organisation for Economic Cooperation and Development and the European Union in the development of criteria for the definition of those hazardous characteristics which are currently not well defined, for the wastes subject to the Basel Convention and giving consideration to the work done in the respective intergovernmental organizations as well as in industrial organizations, to report to the Third Meeting of the Conference of the Parties on progress made on this issue;

2. Further requests its Technical Working Group to consider the issue of the development of criteria for the definition of those hazardous characteristics, which are currently not well defined, to review the report of the Informal Inter-Secretariats Consultation and to present its recommendations on the criteria and other matters required within the framework of the Basel Convention to the Third Meeting of the Conference of the Parties for its consideration.

Decision II/25

Responsibility of States for the implementation of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal

The Conference,

Recalling decision I/17 of the First Meeting of the Conference of the Parties, by which the Conference invited all States that had not done so to become party to the Basel Convention,

Also recalling that in the same decision States Parties to the Convention were invited to cooperate in developing cleaner production technologies and cleaner products which would lead to the reduction and, as far as practicable, the elimination of the generation of hazardous wastes and the Secretariat of the Basel Convention was requested to facilitate cooperation between Parties to this effect,

Having considered the report prepared by the Secretariat contained in document UNEP/CHW.2/27,

1. Invites all States that have not done so to become Party to the Basel Convention;

2. Invites all Parties to the Convention who are currently using waste-minimization and cleaner production methods/technologies in their industrial processes to facilitate and cooperate in the transfer of such technologies to other interested Parties;

3. Appeals to all Parties who have not yet replied to the request from the Secretariat on initiatives taken by their respective Governments on cooperation on cleaner production technologies to do so at their earliest convenience to enable the Secretariat to circulate such information to all Parties to enable them to benefit from it;

4. Requests the Secretariat of the Basel Convention and, as appropriate, in cooperation with other units in UNEP, in particular the Industry and Environment Programme Activity Centre and other relevant United Nations organizations, to promote the development and adoption of cleaner production methods and new low-waste technologies leading to the reduction of the generation of hazardous wastes by undertaking, *inter alia*, the following activities:

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- (a) Through the Technical Working Group of the Basel Convention, identification of waste streams susceptible to cleaner production approaches;
- (b) Identification of policy instruments which may promote improved waste minimization approaches at the national level, including estimation of incremental costs of implementing such policy instruments;
- (c) Promotion of cleaner production through a more wide-ranging United Nations mechanism;
- (d) In cooperation with other organizations, provision of printed material on cleaner production, including policy issues, to Parties, and organization of training courses and workshops on those issues;
- (e) Provision of information exchange in technology assessment capacity;
- (f) Mobilization of resources for cleaner production activities;

5. Invites Parties and other interested States and organizations through joint cooperation and other means, to contribute technically and financially towards the organization of workshops and seminars on the issue of waste- minimization and cleaner production methods and the introduction of proven and environmentally sound technologies for the disposal of hazardous wastes.

Decision II/26

Manual for the implementation of the Convention

The Conference,

Recalling decision I/3 of the First Meeting of the Conference of the Parties,

Having considered the report of the Secretariat contained in document UNEP/CHW.2/7,

1. Approves the Manual for immediate use;
2. Requests the Secretariat of the Basel Convention to ensure the dissemination of the Manual to all Parties and signatories in all the official languages of the United Nations;
3. Requests the Parties to ensure the wide dissemination of the Manual to legal or natural persons involved in the generation, export, import and/or disposal of hazardous wastes who express interest in receiving the Manual in order to make full use of the information contained therein;
4. Further requests the Secretariat to ask all Parties and non-Parties to comment on the Manual and, taking into account these comments, to prepare a revised Manual in consultation with the Open-Ended Ad Hoc Committee for the consideration of the Third Meeting of the Conference of the Parties to the Basel Convention.

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Decision II/27

Institutional, financial and procedural arrangements

The Conference,

Having considered the experience of its Bureau and the Secretariat during the period between the First and Second Meetings of the Conference of the Parties,

I. Institutional arrangements

1. Decides to expand its Bureau, when convened between two meetings of the Conference of the Parties, to include five additional representatives of Governments who served as officers of the previous Bureau of the Conference of the Parties. Within the policy agreed by the Conference of the Parties, the expanded Bureau shall:

- (a) Provide general policy and general operational directions to the Secretariat between meetings of the Conference of the Parties;
- (b) Provide guidance and advice to the Secretariat on the preparation of agendas and other requirements of meetings and on any other matters brought to it by the Secretariat in the exercise of its function;
- (c) Oversee the development and execution of the Secretariat's budget as derived from the Trust Funds and other sources, and also all aspects of fund-raising undertaken by the Secretariat;
- (d) Draft decisions for consideration by the Conference of the Parties;
- (e) Report to the Conference of the Parties on the activities it has carried out between meetings of the Conference of the Parties;
- (f) Perform any other functions as may be entrusted to it by the Conference of the Parties.

II. Financial arrangements

1. Approves the distribution of the contributions of the Parties to the budget of 1994, as provisionally adopted by the Ad Hoc Committee at its meeting in October 1993, reflecting its most recent changes in the scale of assessment of the United Nations;

2. Endorses the decision of the Bureau of the Conference of the Parties at its first meeting as approved by the Ad Hoc Committee which, inter alia, approved the survey of the personnel of the Secretariat including levels and job descriptions, approved the proposed changes in the 1993 budget and adopted the 1994 budget with the proposed changes in components 1100 and 1300, and requests the Secretariat to take all actions necessary to ensure that the grades of the staff members are reflected as recommended;

3. Expresses its concern over the delays in payment of the agreed contributions by Parties as well as the voluntary contributions by Parties and non-Parties according to the agreements reached at the First Meeting of the Conference of the Parties in accordance with which: "all contributions are due to be paid in the year immediately preceding the year to which the contributions relate"; and urges the Parties and non-Parties to pay their

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contributions for 1994 according to the distribution of contributions approved by the Conference of the Parties as soon as possible to allow the Secretariat of the Convention to continue its work as decided by the Conference of the Parties;

4. Further approves the budget for the two Trust Funds for 1995/1996;

5. Provisionally adopts formulas for contribution to the Trust Fund for the Implementation of the Basel Convention based on the United Nations scale of assessment, as annexed to the present decision, subject to comments/reservations reflected in the Report of the Second Meeting of the Conference of the Parties and pending further consideration by the Bureau and adoption by the next meeting of the Open-ended Ad Hoc Committee for the Implementation of the Convention;

6. Requests the Executive Director of UNEP to extend the two Trust Funds to the Basel Convention for 1995/1996 and 1997/1998 and *mutatis mutandis* its Terms of Reference as adopted by the First Meeting of the Conference of the Parties (Annex II to decision I/7), taking into account its paragraph 19 and ensuring ex-post-facto approval of the UNEP Governing Council for these extensions;

7. Further requests the Executive Director to provide the Bureau of the Conference of the Parties with a report on the implementation of paragraphs 16 and 17 of the Terms of Reference of the Trust Funds for the Basel Convention by the end of April for every previous year to ensure the transparency of the use of funds of the Contracting Parties;

8. Also requests the Executive Director of UNEP to advance funds to the Basel Convention on a reimbursable basis for operational requirements, including for technical cooperation activities;

9. Requests the Executive Director to consider and present to the Governing Council possibilities of supporting some activities and programmes recommended by the Bureau for the implementation of the Basel Convention on a non-reimbursable basis;

10. Requests the Secretariat to ensure the implementation of all decisions adopted by the Second Meeting of the Conference of the Parties within the approved budgets for 1994 and for 1995/1996, with the only limiting factor to be the resources within the approved budgets for 1994 and for 1995/1996.

III. Procedural arrangements

1. Decides that the Third Meeting of the Conference of the Parties will be held in September/October 1995, possibly in Nairobi if no additional cost is incurred. The Fourth Meeting of the Conference of the Parties shall be held in 1997.

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**Budget of the Trust Fund
COST OF THE IMPLEMENTATION OF THE BASEL CONVENTION IN 1995 and 1996
(United States dollars)**

			1995	1996
10 PROJECT PERSONNEL COMPONENT				
1100 Project personnel (Title & Grade)				
1101 Co-ordinator	D-1	171 800	180 390	
1102 Programme Officer	P-4/5	156 800	164 640	
1103 Programme Officer	P-4/5	156 800	164 640	
1104 Programme Officer	P-4/5	156 800	164 640	
1107 Information Officer/Documentalist*	P-2/3	116 000	121 800	
1108 Fund/Finance Officer**	P-2/3	0	0	
1199 Sub-total Project Personnel		758 200	796 110	
1200 Consultants				
1201 WG meetings documents preparation		55 000	71 000	
1299 Sub-total Consultants		55 000	71 000	
1300 Administrative Support (Title & Grade)				
1301 Administrative Assistant	G-6/7	109 900	115 395	
1302 Secretary	G-4/5	83 000	87 150	
1303 Secretary	G-4/5	83 000	87 150	
1304 Secretary	G-4/5	83 000	87 150	
1305 Secretary/Data inputter**	G-4/5	0	0	
1320 Temporary assistance/Overtime		83 000	97 650	
Sub-total Administrative Support Staff		441 900	474 495	
Meetings/Conference Servicing Costs				
1321 Conference of the Parties		300 000	0	
1322 Open-ended Ad Hoc Committee		150 000	175 000	
1323 WG Meeting (Liability & Compensation)		85 000	95 000	
1324 WG Meeting (Technical Guidelines)		45 000	100 000	
1325 Bureau Meeting		18 000	80 000	
1326 Informal Meeting		10 000	35 000	
Sub-total Conference Servicing		608 000	485 000	
1399 Sub-total Administrative Support		1 049 900	959 495	
1600 Travel on Official Business				
1601 Staff travel on official business		65 000	75 000	
1699 Sub-total Travel on Official Business		65 000	75 000	
1999 Component Total		1 928 100	1 901 605	

* Combination of posts Nos. 1105 and 1106 in the Budget approved at the First Meeting of the Conference of the Parties (decision I/7, Annex I).

** To be contributed by UNEP headquarters, as usual in the case of other Convention Secretariats, provided in kind from the overhead of 13% Programme Support Costs which accrue to UNEP on expenditures from the Trust Funds established under the Basel Convention to be shared with other Geneva-located Secretariats.

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		<u>1995</u>	<u>1996</u>
20	SUB-CONTRACT COMPONENT		
2100	Sub-contracts		
2101	Global Waste Survey	100 000	100 000
2102	Information system	81 000	81 000
2199	Sub-total Sub-contracts	181 000	181 000
2300	Sub-contracts (Commercial Purpose)		
2301	SBC Staff Computer Training	1 000	1 100
2399	Sub-total Sub-contracts	1 000	1 100
2999	Component Total	182 000	182 100
40	EQUIPMENT AND PREMISES COMPONENT		
4100	Expendable Equipment		
4101	Office Supplies	8 000	10 000
4102	Library Acquisitions/Subscriptions	4 000	6 000
4103	Computer Software	1 000	1 100
4199	Sub-total Expendable Equipment	13 000	17 100
4200	Non Expendable Equipment		
4201	Computer/Word Processor	9 000	10 000
4202	Furniture	5 000	5 500
4299	Sub-total Non Expendable Equipment	14 000	15 500
4300	Premises		
4301	Rent	0	0
4302	Building Maintenance	7 000	8 000
4303	Insurance	4 000	5 000
4304	Security Services	0	0
4305	Utilities	5 000	6 000
4399	Sub-total Premises	16 000	19 000
4999	Component Total	43 000	51 600
50	MISCELLANEOUS COMPONENT		
5100	Maintenance of Equipment		
5101	Rental incl. maintenance of photocopiers	9 000	10 000
5102	Maintenance of computers	5 500	6 000
5103	Others	2 000	2 200
5199	Sub-total Maintenance of Equipment	16 500	18 200
5200	Reporting		
5201	Printing	30 000	35 000
5202	Documents translation	30 000	35 000
5203	Promotional materials	15 000	20 000
5299	Sub-total Reporting	75 000	90 000
5300	sundry		
5301	Communications	30 000	35 000
5302	UNOG shuttle	0	0
5303	Freight Charges	6 000	8 000
5304	Other	2 000	2 200
5399	Sub-total Sundry	38 000	45 200

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	1995	1996
5400 Hospitality		
5401 Hospitality	7 000	8 000
5499 Sub-total Hospitality	7 000	8 000

5999 Component Total	136 500	161 400

99 TOTAL SECRETARIAT COSTS	2 289 600	2 296 705
13% Programme Support Costs	297 648	298 572

GRAND TOTAL	2 587 248	2 595 277

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**III. Budget of the Technical Cooperation Trust Fund
TO ASSIST DEVELOPING COUNTRIES MEMBERS IN THE
IMPLEMENTATION OF THE BASEL CONVENTION 1995-96
(United States dollars)**

		1995	1996
	5400 Hospitality		
	5401 Hospitality	7 000	8 000
	5499 Sub-total Hospitality	7 000	8 000
10	PROJECT PERSONNEL COMPONENT		
	1600 Travel on official business		
	1601 Travel of SBC staff	25 000	27 500
	1699 Sub-total Travel of SBC Staff	25 000	27 500
	1999 Component Total	25 000	27 500
30	TRAINING COMPONENT		
	3100 Training		
	3101 Technical assistance to 10 countries	150 000	165 000
	3199 Sub-total Technical Assistance	150 000	165 000
	3200 Group training		
	3201 Regional/Sub-regional Workshops & Seminars	150 000	200 000
	3202 Technology centres	100 000	200 000
	3299 Sub-total Group Training	250 000	400 000
	3300 Meetings/Conferences		
	3301 Conference of the Parties	300 000	0
	3302 Open-ended Ad Hoc committee	125 000	137 500
	3303 WG Meeting (Liability & Compensation)	125 000	137 500
	3304 WG Meeting (Technical Guidelines)	125 000	200 000
	3305 Bureau Meeting	18 000	95 500
	3306 Informal Meeting	30 000	100 000
	3399 Sub-total Meetings/Conferences	723 000	670 500
	3999 Component Total	1 123 000	1 235 500
99	TOTAL	1 148 000	1 263 000
	13% Programme Support Costs	149 240	164 190
	GRAND TOTAL	1 297 240	1 427 190

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ALTERNATIVE I is based only on the Contracting Parties as they are expected to be at the 2nd meeting of the Conference of the Parties. Additional voluntary contributions of US\$ 170,000 by the Government of Switzerland and US\$ 80,000 by the Government of the USA are deducted from the total.

TRUST FUND FOR THE IMPLEMENTATION
OF THE BASEL CONVENTION
1995

CONTRIBUTORS	UN SCALE OF ASSESSMENT	PERCENTAGES ADJUSTED TO EXCLUDE NON CONTRIBUTORS	ADJUSTED PERCENTAGE WITH 25% CEILING CONSIDERED	1995			
				1	2	3	4
Antigua and Barbuda	0.01	0.00	0.00				0
Argentina	0.57	0.57	0.92			21 505	
Australia	1.51	1.51	2.44			56 970	
Austria	0.75	0.75	1.21			28 297	
Bahamas	0.02	0.00	0.00			0	
Bahrain	0.03	0.00	0.00			0	
Bangladesh	0.01	0.00	0.00			0	
Belgium	1.06	1.06	1.71			39 992	
Brazil	1.59	1.59	2.57			59 989	
Canada	3.11	3.11	5.02			117 336	
Chile	0.08	0.00	0.00			0	
China	0.77	0.77	1.24			29 051	
Cyprus	0.02	0.00	0.00			0	
Czech Republic	0.42	0.42	0.68			15 846	
Denmark	0.65	0.65	1.05			24 524	
Ecuador	0.03	0.00	0.00			0	
Egypt	0.07	0.00	0.00			0	
El Salvador	0.01	0.00	0.00			0	
Estonia	0.07	0.00	0.00			0	
Finland	0.57	0.57	0.92			21 505	
France	6.00	6.00	9.69			226 373	
Germany	8.93	8.93	14.42			336 918	
Greece	0.35	0.35	0.56			13 205	
Hungary	0.18	0.18	0.29			6 791	
India	0.36	0.36	0.58			13 582	
Indonesia	0.16	0.16	0.26			6 037	
Iran	0.77	0.77	1.24			29 051	
Ireland	0.18	0.18	0.29			6 791	
Italy	4.29	4.29	6.93			161 856	
Japan	12.45	12.45	20.10			469 723	
Jordan	0.01	0.00	0.00			0	
Kuwait	0.25	0.25	0.40			9 432	
Latvia	0.13	0.13	0.21			4 905	
Liechtenstein	0.01	0.00	0.00			0	
Luxembourg	0.06	0.00	0.00			0	
Malaysia	0.12	0.12	0.19			4 527	
Maldives	0.01	0.00	0.00			0	
Mauritius	0.01	0.00	0.00			0	
Mexico	0.88	0.88	1.42			33 201	
Monaco	0.01	0.00	0.00			0	
Netherlands	1.50	1.50	2.42			56 593	
Nigeria	0.20	0.20	0.32			7 546	
Norway	0.55	0.55	0.89			20 751	
Panama	0.02	0.00	0.00			0	
Peru	0.06	0.00	0.00			0	
Philippines	0.07	0.00	0.00			0	
Poland	0.47	0.47	0.76			17 733	
Portugal	0.20	0.20	0.32			7 546	
Republic of Korea	0.69	0.69	1.11			26 033	
Romania	0.17	0.17	0.27			6 414	
Saint Lucia	0.01	0.00	0.00			0	
Saudi Arabia	0.96	0.96	1.55			36 220	

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CONTRIBUTORS	UN SCALE OF ASSESSMENT	PERCENTAGES ADJUSTED TO EXCLUDE NON CONTRIBUTORS	ADJUSTED PERCENTAGE WITH 25% CEILING CONSIDERED	1995
				CONTRIBUTIONS (US\$)
	1	2	3	4
Seychelles	0.01	0.00	0.00	0
Senegal	0.01	0.00	0.00	0
Slovakia	0.13	0.13	0.21	4 905
Slovenia	0.09	0.00	0.00	0
Spain	1.98	1.98	3.20	74 703
Sri Lanka	0.01	0.00	0.00	0
Sweden	1.11	1.11	1.79	41 879
Switzerland	1.16	1.16	1.87	43 765
Syrian Arab Republic	0.04	0.00	0.00	0
Trinidad and Tobago	0.05	0.00	0.00	0
United Arab Emirates	0.21	0.21	0.34	7 923
United Kingdom	5.02	5.02	8.10	189 398
United Republic of Tanzania	0.01	0.00	0.00	0
Uruguay	0.04	0.00	0.00	0
EEC	2.50	2.50	2.50	58 431
Total	63.78	62.90	100.00	2 337 248
VOLUNTARY CONTRIBUTIONS				
Switzerland				170 000
USA				80 000
GRAND TOTAL				2 587 248

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ALTERNATIVE I is based only on the Contracting Parties as they are expected to be at the 2nd meeting of the Conference of the Parties. Additional voluntary contributions of US\$ 120,000 by the Government of Switzerland and US\$ 80,000 by the Government of the USA are deducted from the total.

TRUST FUND FOR THE IMPLEMENTATION
OF THE BASEL CONVENTION
1996

CONTRIBUTORS	UN SCALE OF ASSESSMENT	PERCENTAGES ADJUSTED TO EXCLUDE NON CONTRIBUTORS	ADJUSTED PERCENTAGE WITH 25% CEILING CONSIDERED	1996 CONTRIBUTIONS (US\$)	
				1	2
Antigua and Barbuda	0.01	0.00	0.00		0
Argentina	0.57	0.57	0.92	22	039
Australia	1.51	1.51	2.44	58	385
Austria	0.75	0.75	1.21	28	999
Bahamas	0.02	0.00	0.00		0
Bahrain	0.03	0.00	0.00		0
Bangladesh	0.01	0.00	0.00		0
Belgium	1.06	1.06	1.71	40	985
Brazil	1.59	1.59	2.57	61	478
Canada	3.11	3.11	5.02	120	250
Chile	0.08	0.00	0.00		0
China	0.77	0.77	1.24	29	772
Cyprus	0.02	0.00	0.00		0
Czech Republic	0.42	0.42	0.68	16	240
Denmark	0.65	0.65	1.05	25	133
Ecuador	0.03	0.00	0.00		0
Egypt	0.07	0.00	0.00		0
El Salvador	0.01	0.00	0.00		0
Estonia	0.07	0.00	0.00		0
Finland	0.57	0.57	0.92	22	039
France	6.00	6.00	9.69	231	993
Germany	8.93	8.93	14.42	345	283
Greece	0.35	0.35	0.56	13	533
Hungary	0.18	0.18	0.29	6	960
India	0.36	0.36	0.58	13	920
Indonesia	0.16	0.16	0.26	6	186
Iran	0.77	0.77	1.24	29	772
Ireland	0.18	0.18	0.29	6	960
Italy	4.29	4.29	6.93	165	875
Japan	12.45	12.45	20.10	481	385
Jordan	0.01	0.00	0.00		0
Kuwait	0.25	0.25	0.40	9	666
Latvia	0.13	0.13	0.21	5	027
Liechtenstein	0.01	0.00	0.00		0
Luxembourg	0.06	0.00	0.00		0
Malaysia	0.12	0.12	0.19	4	640
Maldives	0.01	0.00	0.00		0
Mauritius	0.01	0.00	0.00		0
Mexico	0.88	0.88	1.42	34	026
Monaco	0.01	0.00	0.00		0
Netherlands	1.50	1.50	2.42	57	998
Nigeria	0.20	0.20	0.32	7	733
Norway	0.55	0.55	0.89	21	266
Panama	0.02	0.00	0.00		0
Peru	0.06	0.00	0.00		0
Philippines	0.07	0.00	0.00		0
Poland	0.47	0.47	0.76	18	173
Portugal	0.20	0.20	0.32	7	733
Republic of Korea	0.69	0.69	1.11	26	679
Romania	0.17	0.17	0.27	6	573
Saint Lucia	0.01	0.00	0.00		0
Saudi Arabia	0.96	0.96	1.55	37	119

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CONTRIBUTORS	UN SCALE OF ASSESSMENT	PERCENTAGES ADJUSTED TO EXCLUDE NON CONTRIBUTORS	ADJUSTED PERCENTAGE WITH 25% CEILING CONSIDERED	1996
				(US\$)
1	2	3	4	
Seychelles	0.01	0.00	0.00	0
Senegal	0.01	0.00	0.00	0
Slovakia	0.13	0.13	0.21	5 027
Slovenia	0.09	0.00	0.00	0
Spain	1.98	1.98	3.20	76 558
Sri Lanka	0.01	0.00	0.00	0
Sweden	1.11	1.11	1.79	42 919
Switzerland	1.16	1.16	1.87	44 852
Syrian Arab Republic	0.04	0.00	0.00	0
Trinidad and Tobago	0.05	0.00	0.00	0
United Arab Emirates	0.21	0.21	0.34	8 120
United Kingdom	5.02	5.02	8.10	194 101
United Republic of Tanzania	0.01	0.00	0.00	0
Uruguay	0.04	0.00	0.00	0
EEC	2.50	2.50	2.50	59 882
Total	63.78	62.90	100.00	2 395 277
VOLUNTARY CONTRIBUTIONS				
Switzerland				120 000
USA				80 000
GRAND TOTAL				2 595 277

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ALTERNATIVE II is based on the understanding that all countries which indicated that they would become Party to the Basel Convention are included in the list of contributors. A voluntary additional contribution of US\$ 170,000 by the Government of Switzerland is deducted from the total.

TRUST FUND FOR THE IMPLEMENTATION
OF THE BASEL CONVENTION
1995

CONTRIBUTORS	UN SCALE OF ASSESSMENT	PERCENTAGES	ADJUSTED PERCENTAGE	1995 CONTRIBUTIONS (US \$)
		ADJUSTED TO EXCLUDE NON CONTRIBUTORS CONSIDERED	WITH 25% CEILING	
	1	2	3	4
Antigua and Barbuda	0.01	0.00	0.00	0
Argentina	0.57	0.57	0.61	14 832
Australia	1.51	1.51	1.63	39 291
Austria	0.75	0.75	0.81	19 516
Bahamas	0.02	0.00	0.00	0
Bahrain	0.03	0.00	0.00	0
Bangladesh	0.01	0.00	0.00	0
Belgium	1.06	1.06	1.14	27 582
Brazil	1.59	1.59	1.71	41 373
Canada	3.11	3.11	3.35	80 925
Chile	0.08	0.00	0.00	0
China	0.77	0.77	0.83	20 036
Cyprus	0.02	0.00	0.00	0
Czech Republic	0.42	0.42	0.45	10 929
Denmark	0.65	0.65	0.70	16 914
Ecuador	0.03	0.00	0.00	0
Egypt	0.07	0.00	0.00	0
El Salvador	0.01	0.00	0.00	0
Estonia	0.07	0.00	0.00	0
Finland	0.57	0.57	0.61	14 832
France	6.00	6.00	6.46	156 125
Germany	8.93	8.93	9.61	232 366
Greece	0.35	0.35	0.38	9 107
Hungary	0.18	0.18	0.19	4 684
India	0.36	0.36	0.39	9 368
Indonesia	0.16	0.16	0.17	4 163
Iran	0.77	0.77	0.83	20 036
Ireland	0.18	0.18	0.19	4 684
Italy	4.29	4.29	4.62	111 629
Japan	12.45	12.45	13.40	323 960
Jordan	0.01	0.00	0.00	0
Kuwait	0.25	0.25	0.27	6 505
Latvia	0.13	0.13	0.14	3 383
Liechtenstein	0.01	0.00	0.00	0
Luxembourg	0.06	0.00	0.00	0
Malaysia	0.12	0.12	0.13	3 123
Maldives	0.01	0.00	0.00	0
Mauritius	0.01	0.00	0.00	0
Mexico	0.88	0.88	0.95	22 898
Monaco	0.01	0.00	0.00	0
Netherlands	1.50	1.50	1.61	39 031
New Zealand*	0.24	0.24	0.26	6 245
Nigeria	0.20	0.20	0.22	5 204
Norway	0.55	0.55	0.59	14 311
Panama	0.02	0.00	0.00	0
Peru	0.06	0.00	0.00	0
Philippines	0.07	0.00	0.00	0
Poland	0.47	0.47	0.51	12 230
Portugal	0.20	0.20	0.22	5 204
Republic of Korea	0.69	0.69	0.74	17 954
Romania	0.17	0.17	0.18	4 424
Russian Federation*	6.71	6.71	7.22	174 600

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CONTRIBUTORS	UN SCALE OF ASSESSMENT	PERCENTAGES ADJUSTED TO EXCLUDE NON CONTRIBUTORS CONSIDERED	ADJUSTED PERCENTAGE WITH 25% CEILING	1995 CONTRIBUTIONS (US \$)			
				1	2	3	4
Saint Lucia	0.01	0.00	0.00	0			
Saudi Arabia	0.96	0.96	1.03	24 980			
Seychelles	0.01	0.00	0.00	0			
Senegal	0.01	0.00	0.00	0			
Slovakia	0.13	0.13	0.14	3 383			
Slovenia	0.09	0.00	0.00	0			
Spain	1.98	1.98	2.13	51 521			
Sri Lanka	0.01	0.00	0.00	0			
Sweden	1.11	1.11	1.19	28 883			
Switzerland	1.16	1.16	1.25	30 184			
Syrian Arab Republic	0.04	0.00	0.00	0			
Trinidad and Tobago	0.05	0.00	0.00	0			
United Arab Emirates	0.21	0.21	0.23	5 464			
United Kingdom	5.02	5.02	5.40	130 625			
United Republic of Tanzania	0.01	0.00	0.00	0			
United States of America*	25.00	25.00	25.00	604 312			
Uruguay	0.04	0.00	0.00	0			
EEC	2.50	2.50	2.50	60 431			
Total	95.73	94.85	100.00	2 417 248			
VOLUNTARY CONTRIBUTIONS							
Switzerland					170 000		
GRAND TOTAL					2 587 248		

* Countries which have indicated their intention to become Party to the Basel Convention in the near future.

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ALTERNATIVE II is based on the understanding that all countries which indicated that they would become Party to the Basel Convention are included in the list of contributors. A voluntary additional contribution of US\$ 120,000 by the Government of Switzerland is deducted from the total.

TRUST FUND FOR THE IMPLEMENTATION
OF THE BASEL CONVENTION
1996

CONTRIBUTORS	UN SCALE OF ASSESSMENT	PERCENTAGES ADJUSTED TO EXCLUDE NON CONTRIBUTORS	ADJUSTED PERCENTAGE WITH 25% CEILING CONSIDERED	1996			
				1	2	3	4
Antigua and Barbuda	0.01	0.00	0.00				0
Argentina	0.57	0.57	0.61			15 188	
Australia	1.51	1.51	1.63			40 235	
Austria	0.75	0.75	0.81			19 984	
Bahamas	0.02	0.00	0.00			0	
Bahrain	0.03	0.00	0.00			0	
Bangladesh	0.01	0.00	0.00			0	
Belgium	1.06	1.06	1.14			28 244	
Brazil	1.59	1.59	1.71			42 366	
Canada	3.11	3.11	3.35			82 868	
Chile	0.08	0.00	0.00			0	
China	0.77	0.77	0.83			20 517	
Cyprus	0.02	0.00	0.00			0	
Czech Republic	0.42	0.42	0.45			11 191	
Denmark	0.65	0.65	0.70			17 320	
Ecuador	0.03	0.00	0.00			0	
Egypt	0.07	0.00	0.00			0	
EI Salvador	0.01	0.00	0.00			0	
Estonia	0.07	0.00	0.00			0	
Finland	0.57	0.57	0.61			15 188	
France	6.00	6.00	6.46			159 873	
Germany	8.93	8.93	9.61			237 945	
Greece	0.35	0.35	0.38			9 326	
Hungary	0.18	0.18	0.19			4 796	
India	0.36	0.36	0.39			9 592	
Indonesia	0.16	0.16	0.17			4 263	
Iran	0.77	0.77	0.83			20 517	
Ireland	0.18	0.18	0.19			4 796	
Italy	4.29	4.29	4.62			114 309	
Japan	12.45	12.45	13.40			331 737	
Jordan	0.01	0.00	0.00			0	
Kuwait	0.25	0.25	0.27			6 661	
Latvia	0.13	0.13	0.14			3 464	
Liechtenstein	0.01	0.00	0.00			0	
Luxembourg	0.06	0.00	0.00			0	
Malaysia	0.12	0.12	0.13			3 197	
Maldives	0.01	0.00	0.00			0	
Mauritius	0.01	0.00	0.00			0	
Mexico	0.88	0.88	0.95			23 448	
Monaco	0.01	0.00	0.00			0	
Netherlands	1.50	1.50	1.61			39 968	
New Zealand*	0.24	0.24	0.26			6 395	
Nigeria	0.20	0.20	0.22			5 329	
Norway	0.55	0.55	0.59			14 655	
Panama	0.02	0.00	0.00			0	
Peru	0.06	0.00	0.00			0	
Philippines	0.07	0.00	0.00			0	
Poland	0.47	0.47	0.51			12 523	
Portugal	0.20	0.20	0.22			5 329	
Republic of Korea	0.69	0.69	0.74			18 385	
Romania	0.17	0.17	0.18			4 530	
Russian Federation*	6.71	6.71	7.22			178 791	

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CONTRIBUTORS	UN SCALE OF ASSESSMENT	PERCENTAGES ADJUSTED TO EXCLUDE NON CONTRIBUTORS	ADJUSTED PERCENTAGE WITH 25% CEILING CONSIDERED	1996
				CONTRIBUTIONS (US\$)
	1	2	3	4
Saint Lucia	0.01	0.00	0.00	0
Saudi Arabia	0.96	0.96	1.03	25 580
Seychelles	0.01	0.00	0.00	0
Senegal	0.01	0.00	0.00	0
Slovakia	0.13	0.13	0.14	3 464
Slovenia	0.09	0.00	0.00	0
Spain	1.98	1.98	2.13	52 758
Sri Lanka	0.01	0.00	0.00	0
Sweden	1.11	1.11	1.19	29 577
Switzerland	1.16	1.16	1.25	30 909
Syrian Arab Republic	0.04	0.00	0.00	0
Trinidad and Tobago	0.05	0.00	0.00	0
United Arab Emirates	0.21	0.21	0.23	5 596
United Kingdom	5.02	5.02	5.40	133 761
United Republic of Tanzania	0.01	0.00	0.00	0
United States of America*	25.00	25.00	25.00	618 819
Uruguay	0.04	0.00	0.00	0
EEC	2.50	2.50	2.50	61 882
Total	95.73	94.85	100.00	2 475 277

VOLUNTARY CONTRIBUTIONS

Switzerland	120 000
GRAND TOTAL	2 595 277

* Countries which have indicated their intention to be Party to the Basel Convention in the near future.