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**Conference of the Parties to the Basel Convention  
on the Control of Transboundary Movements of  
Hazardous Wastes and Their Disposal**  
Ninth meeting  
Bali, 23–27 June 2008

## **Report of the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal on its ninth meeting**

### **I. Opening of the meeting**

#### **A. Welcoming ceremony**

1. The ninth 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 at the Bali International Convention Centre, Nusa Dua, Bali, Indonesia, from 23 to 27 June 2008. The official opening of the meeting was preceded by a welcoming ceremony featuring addresses by Mr. Nyoman Yasa, Secretary of Bali Province, on behalf of the Governor of Bali, and Mr. Rachmat Witoelar, State Minister for the Environment, Indonesia; a display of traditional Balinese dance; the showing of a video film by the Basel Action Network on the transboundary shipment of electronic waste; and the ceremonial striking of a gong to mark the opening of proceedings. A summary of the statements by Mr. Yasa and Mr. Witoelar may be found in annex IV to the present report.

#### **B. Official opening**

2. The meeting was called to order at 10.40 a.m. on Monday, 23 June, by Mr. John Michuki, Minister of the Environment and Mineral Resources, Kenya, and President of the eighth meeting of the Conference of the Parties.

3. Opening remarks were then made by Mr. Michuki and Ms. Katharina Kummer Peiry, Executive Secretary of the Basel Convention.

4. Mr. Michuki formally welcomed Ms. Kummer Peiry to her new position as Executive Secretary of the Basel Convention and also welcomed the participants to the meeting. He spoke of the progress made in implementing the decisions taken at the previous meeting, particularly with regard to the dumping of hazardous wastes in Côte d'Ivoire and the implementation of the Nairobi Declaration on the Environmentally Sound Management of Electrical and Electronic Waste. He noted, however, that there remained considerable work to do, given that many programme activities could not be implemented owing to lack of funds. He urged representatives to accord those areas high priority during the forthcoming biennium. He stressed the need to find a financing mechanism for the Convention and to resolve the issue of interpreting paragraph 5 of article 17, and called for waste management to be viewed as a means by which people could earn a livelihood.

5. Ms. Kummer Peiry said that it was an honour for her to welcome participants to her first meeting as Executive Secretary and thanked the host Government for its warm welcome, hospitality and outstanding efforts to ensure the smooth functioning of the meeting. Noting the diminishing importance that was attached to the issue of waste management at the international level, she expressed the hope

that the World Forum on Waste Management for Human Health and Livelihood, to be held during the current meeting, would rekindle interest in that important problem and stressed that the current meeting was crucially placed to ensure that waste management issues were systematically integrated into policy decisions for the attainment of the Millennium Development Goals. Increasing quantities of hazardous wastes were being generated and the emergence of new waste streams called for innovative solutions; a synergistic approach was required to meet those challenges and to ensure the environmentally sound management of hazardous wastes. With its control system the Basel Convention had a crucial role to play in conceiving and implementing such an approach.

6. On the positive side, she noted progress in tackling the issue of e-wastes, notably through the Nairobi Declaration on the Environmentally Sound Management of Electrical and Electronic Waste. Expressing appreciation for the generous contributions from Japan and Canada for activities under the e-wastes workplan, she encouraged all Parties to provide support, both financial and in kind, for the realization of further work objectives. She also reviewed progress in tackling the issue of ship dismantling, including the negotiation of a new treaty under the auspices of the International Maritime Organization (IMO) and the development by the Secretariat of a global programme for sustainable ship recycling, and called for contributions from Parties for those efforts.

7. Pointing out that Governments alone could not ensure successful implementation of the Basel Convention, she called for the strengthened engagement of all stakeholders, in particular industry, and in that context said she looked forward to the launch at the current meeting of the Partnership for Action on Computer Equipment. She also recognized the commitment of the host countries to the Convention's regional and coordinating centres and the contributions of a number of donors to projects carried out by the centres. At the current meeting the Conference of the Parties would be reviewing the operation of the centres and giving direction for their further work. She also welcomed moves to harness synergies from strengthened coordination between the Basel, Rotterdam and Stockholm conventions. In addition, the Conference would be considering technical guidelines on such wastes streams as used tyres and mercury wastes. She also suggested the launching at the current meeting of a process designed to address the deadlock on the Ban Amendment.

8. Noting with concern the decline in voluntary contributions, she urgently appealed to Parties to ensure that the core costs of the Convention programme and the Secretariat were adequately funded and expressed the hope that, at the current meeting, Parties would be able to place the Convention on a sounder financial basis. To that end, she welcomed the first donors' meeting held a few days previously and expressed gratitude to the numerous Governments that had contributed to the Convention's technical cooperation trust fund. Finally, she outlined the process by which a review of the Convention, to be completed by 2012, would be undertaken, and looked forward to a reinvigorated Convention in the years to come.

## II. Election of the President and other officers

9. The following officers were elected to the Bureau of the ninth meeting of the Conference of the Parties:

President:	Mr. Rachmat Witoelar (Indonesia)
Vice-Presidents:	Ms. Mary Harwood (Australia)
	Mr. Osvaldo Alvarez-Pérez (Chile)
	Mr. Andrzej Jagusiewicz (Poland)
Rapporteur:	Ms. Angelina Madete (United Republic of Tanzania)

## III. Adoption of the agenda

10. The Conference adopted the following agenda, based on the provisional agenda contained in document UNEP/CHW.9/1:

1. Opening of the meeting.
2. Election of the President and other officers.
3. Adoption of the agenda.

4. Organization of the meeting.
5. Theme of the ninth meeting “Waste management for human health and livelihood”.
6. Committee for Administering the Mechanism for Promoting Implementation and Compliance of the Basel Convention.
7. Implementation of the decisions adopted by the Conference of the Parties at its eighth meeting:
  - (a) Strategic Plan for the Implementation of the Basel Convention to 2010:
    - (i) Report on the work programme;
    - (ii) Programme framework until 2010;
    - (iii) Follow-up to the Strategic Plan beyond 2010;
  - (b) Basel Convention regional and coordinating centres;
  - (c) Nairobi Declaration on the Environmentally Sound Management of Electrical and Electronic Waste and decision VIII/2;
  - (d) Partnership Programme;
  - (e) Cooperation and coordination among the Basel, Rotterdam and Stockholm conventions;
  - (f) International cooperation and coordination;
  - (g) National reporting;
  - (h) Technical matters;
  - (i) Legal matters;
  - (j) Dismantling of ships;
  - (k) Financial matters;
  - (l) Resource mobilization and sustainable financing.
8. Work programme of the Open-ended Working Group for 2009–2010.
9. Twentieth anniversary of the adoption of the Basel Convention (2009).
10. Other matters.
11. Adoption of the decisions and the report.
12. Closure of the meeting.

## IV. Organization of the meeting

### A. Attendance

11. The following Parties to the Basel Convention were represented: Algeria, Argentina, Australia, Austria, Bahrain, Belgium, Bhutan, Brunei Darussalam, Cambodia, Cameroon, Canada, Chile, China, Colombia, Cook Islands, Costa Rica, Côte d’Ivoire, Croatia, Czech Republic, Denmark, Egypt, El Salvador, Estonia, Ethiopia, European Community, Finland, France, Germany, Greece, Hungary, India, Indonesia, Iran (Islamic Republic of), Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Morocco, Mozambique, Namibia, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Rwanda, Samoa, Saudi Arabia, Senegal, Singapore, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Syrian Arab Republic, Thailand, the Former Yugoslav Republic of Macedonia, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam and Zambia.

12. The following States not party to the Convention participated as observers: Angola, Gabon, Iraq and the United States of America.

13. Observers from the following United Nations bodies and specialized agencies, intergovernmental organizations and secretariats of conventions were also present: Food and Agriculture Organization of the United Nations (FAO), IMO, League of Arab States, Office of the United Nations High Commissioner for Human Rights (OHCHR), Organization for the Prohibition of Chemical Weapons (OPCW), Secretariat of the Rotterdam and Stockholm conventions, South Asia Cooperative Environment Programme (SACEP), United Nations Development Programme (UNDP), United Nations Environment Programme, United Nations Framework Convention on Climate Change, World Bank and World Health Organization (WHO).

14. The meeting was also attended by representatives from the Basel Convention regional and coordinating centres located in China, Egypt, Indonesia, Iran (Islamic Republic of), Nigeria and Senegal.

15. The following governmental, non-governmental, private sector and business organizations also participated as observers: Ambiendura, Arnika Association, AshakaCem PLC, Badan Pengendalian Lingkungan Hidup, Bali Fokus, Bangladesh Environmental Lawyers Association (BELA), Bapedada Kota Jambi, Basel Action Network (BAN), Beveridge and Diamond PC (ITI), Bureau of International Recycling (BIR), City of Surabaya, DRSFILM, Ecobali, Encycle SDN BHD, Environmental Agency of West Nusa Tenggara, European Association of Mineral Ores, European Tyre and Rubber Manufacturers' Association, Ex Corporation, Friends of the Earth Indonesia, Friends of the Earth South Africa, Holcim Group Support Ltd., Gamter Jaya Groups, Tang Cleaning and Marine Service, Indian Cultural Centre, Indonesian Journalist Association, Information Technology Industry Council, European Association of Mining Industries (EUROMINES), Institute of Scrap Recycling Industries (ISRI), International Precious Metals Institute (IPMI), International Society of Doctors for the Environment (ISDE), Institute for Environment and Resources (IER), International POPs Elimination Network (IPEN), Jimbaran Lestari, Kementerian Negara Lingkungan Hidup, Kobe University Research Institute on MEAs (KURIM), Lafarge, National Institute for Environmental Studies (NIES), National Kaohsiung First University of Science and Technology, NGO Platform on Shipbreaking, Nokia PTE Ltd., P3ISIP-UI, Taiwan Green Productivity Foundation (TGPF), Tes-Amm Singapore PTE Ltd., Thanal, Third World Network Indonesia Programme and Urusan Pidana Dan Adm Ling Kungan.

## **B. Organization of work**

16. The Conference of the Parties agreed to form a Committee of the Whole, to be chaired by Ms. Harwood, and mandated it to consider all the substantive items on the agenda of the meeting. The Conference agreed that the committee would present draft decisions and recommendations for consideration and possible adoption by the Conference at its final plenary meeting and that it would convene such contact groups as it deemed necessary to consider specific issues.

17. The Conference agreed that following the opening plenary session of the meeting the plenary sessions of the meeting would be adjourned until the morning of Thursday, 26 June 2008. On that morning the plenary sessions would resume in the form of a high-level segment that would take place on that day and the following day, Friday, 27 June 2008. On Thursday the Parties would hold a day-long interactive panel discussion on the theme of the meeting, waste management and its impact on human health and the environment, under the rubric: World Forum on Waste Management for Human Health and Livelihood. On Friday they would take up the draft decisions and recommendations of the Committee of the Whole.

## **V. Theme of the ninth meeting “Waste management for human health and livelihood”**

18. As agreed under agenda item 4 on organization of the meeting, the Conference took up the item in plenary, on the first day of the high-level segment, which took the form of a day-long interactive panel discussion on the theme of the meeting, “Waste management for human health and livelihood”.

### **A. Opening**

19. The high-level segment of the ninth meeting of the Conference of the Parties commenced at 10.25 a.m. on Thursday, 26 June, with opening remarks by Mr. Witoelar, Mr. Achim Steiner, Executive Director of UNEP, Ms. Kummer Peiry, Mr. El-Mostafa Benlamlih, resident coordinator of the United Nations system in Indonesia, and Mr. Michuki.

20. Mr. Witoelar welcomed the participants to the high-level segment. Noting that the theme of the forum had been chosen to highlight the strong link between the environmentally sound management of hazardous and other wastes and the protection of human health and the environment, together with the achievement of sustainable development, he said that the Basel Convention should be understood as a key instrument in the attainment of global environmental sustainability.
21. Mr. Steiner stressed that, while the Basel Convention tackled the issue of waste in a broad sense, greater endeavours should be made to reduce the initial incentive to create waste, bearing in mind the Convention's original objectives. While the reuse and recycling of waste represented a resource for further production and could benefit economies, it was important to consider the impact that such activities had on human well-being. He noted that Kenya, the host country of UNEP, recycled an exemplary percentage of waste compared with many other nations, but under conditions that were intolerable, exposing those involved – including many children – to levels of heavy metal pollution that exceeded the limits recommended by WHO. As more than half that waste was organic, it could be used to generate power for those who could not afford to connect to the electricity grid. He urged participants to draw on the lessons learned from the dumping of hazardous wastes in Côte d'Ivoire in 2006. While there were divergent views on issues under the Basel Convention, as was inevitable with any international convention, it was crucial to bear in mind the consensus underpinning the agreement.
22. In conclusion, he said that the Conference of the Parties bore the responsibility to ensure an equitable approach in tackling waste management for human health and livelihood. The way in which by-products of development were handled inevitably affected human well-being and, in that regard, efforts to meet the Basel Convention's objectives contributed to attaining the Millennium Development Goals.
23. Ms. Kummer Peiry said that the World Forum for Human Health and Livelihood offered the world a platform to voice its concerns about waste management, noting that the issue should be a priority, at both the local and national levels and in the international development agenda, in efforts to improve living conditions. She called for a fruitful discussion among the Parties, non-governmental organizations and industry, which was playing an increasingly significant role in relevant discussions.
24. Mr. Benlamlih said that a balance needed to be struck between creation and destruction, as the production of new waste was becoming a global threat to human livelihood. He stressed that the lack of capacity to deal with hazardous waste affected the health of millions, particularly women and children, and destroyed the environment, thereby threatening livelihoods and impeding the achievement of the Millennium Development Goals. He then delivered a statement by the Secretary-General, in which the Secretary-General, saying that electrical and electronic waste was beginning to pose a major problem, called for political commitment from all States and the provision of sufficient resources to the Basel Convention to enable it to integrate its work into the broader global campaign for sustainable development, environmental sustainability and achievement of the Millennium Development Goals. The full text of the Secretary-General's statement may be found in annex III to the present report.
25. In his opening remarks, Mr. Michuki noted that the theme of the event was intended to inspire Parties to make extra efforts to realize the vision of the Basel Convention and to give priority to the issue of waste. He proposed that, at its ninth meeting, the Conference of the Parties should recommend that each Party establish a government department dedicated solely to the promotion and support of environmentally sound recycling of waste materials.
26. Recalling the dumping of toxic waste in Côte d'Ivoire in 2006, he said that it was imperative to finish assessing the event and to provide a report to all Parties to forestall future occurrences. Setting out the progress made since the adoption of the Nairobi Declaration on the Environmentally Sound Management of Electrical and Electronic Waste, he pointed out that much work remained to be done, including in reaching a consensus on how and when the Convention's Ban Amendment should enter into force. In that context, he proposed that what was termed the "fixed-time interpretation" should be adopted without delay. He also noted that resource mobilization efforts had fallen short of expectations and called for further financial support.

## **B. Panel discussion**

27. Following those opening remarks, the ministers and other heads of delegation assembled for the high-level segment commenced a day-long panel discussion, divided into two parts, on the theme of the meeting, "Waste management for human health and livelihood". The discussion was moderated by Mr. Steiner. The stage for the discussion was set by a statement from Mr. Witoelar on waste management for human health and livelihood. Following that statement, the panellists gave brief

statements on related themes. The floor was then opened for discussion, including questions and comments from the ministers and other heads of delegations and responses from the members of the panel, in which the participants were asked to give consideration to both challenges and solutions.

28. The keynote statement, the opening statements of the panel members and the ensuing discussions are summarized in the following paragraphs.

## **1. Keynote statement**

29. The keynote speaker, Mr. Witoelar, speaking on behalf of Ms. Siti Fadilah Supari, Minister of Health of Indonesia, who had been unable to attend the forum, questioned why the situation concerning transboundary movements of waste had not changed from some 10 years previously. He described the measures taken in Indonesia to control hazardous wastes and pointed out the problems that that country faced. He called for enhanced cooperation at the country level and networking, with adequate resource mobilization, technology transfer and capacity-building for sound management of hazardous wastes. He further urged a review of and updates to existing conceptual and legal frameworks, particularly with regard to legal enforcement and regulatory practices, with a view to attaining a sustainable and supportive environment for human health and livelihood. In conclusion, he sought cooperation based on consensus and commitment to the objectives of the Basel Convention.

## **2. Panel 1**

### **(a) Panel members' statements**

30. The members of the panel (in the order in which they spoke) were Ms. Halima Alao, Minister of Environment and Housing, Nigeria; Mr. Okey Ibeanu, Special Rapporteur of the United Nations Human Rights Council on the adverse effects of the illicit movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights; Mr. Subhash R. Salunke, WHO representative for Indonesia; Mr. Jean-Pierre Degré, Vice-President, Alternative Fuels and Raw Materials Business Development, Holcim Group Support Ltd.; and Ms. Lilian Corra, International Secretary and former President of the International Society of Doctors for the Environment.

31. Ms. Alao gave a presentation on improving maternal health through the environmentally sound management of hazardous waste. She noted that improper management of hazardous and other wastes had been identified as one of the root causes of environmental degradation and pollution with concomitant adverse health effects on humans. Pointing out that hazardous wastes could pose problems for many developing countries, she outlined the reasons why Africa faced specific internal and external challenges, for example because of its limited technological and economic resources, weak regulatory framework and poor funding. Describing the health aspects of waste disposal, she noted the transfer of toxins through breastfeeding, diseases associated with water contamination from leachates and air pollution from the burning of hazardous waste, among others. She called for increased support for effective capacity-building for the Basel Convention regional and coordinating centres, innovative approaches to sustainable financing, mainstreaming of sound management of hazardous and other wastes into development agendas, reform of international environmental governance structures, encouragement of strategic partnerships and cooperation with the private sector and improved enforcement mechanisms and systems for the prevention and control of illegal trafficking of hazardous wastes.

32. Mr. Ibeanu gave an account of his mandate as the Special Rapporteur. Appealing to participants not to forget the human rights dimensions of waste transfers, he said that the only way to eliminate the waste trade would be to eradicate extreme poverty, hunger and global inequalities. He called for further research into the long-term effects of using chemicals in food production, noted that stockpiles of obsolete pesticides in the developing world posed a genuine threat to human health and said that poverty encouraged desperate measures and practices among developing countries, including the indiscriminate acceptance of hazardous products and wastes and the unregulated use of hazardous chemicals in various activities, which threatened agriculture and food production. In conclusion, he welcomed the UNEP and Basel Convention joint initiatives and expressed the hope that more such initiatives, intended to build the capacity of developing countries to manage hazardous wastes, would be implemented.

33. Mr. Salunke gave a slide presentation, noting that if hazardous wastes were not managed correctly they posed a significant threat to society and to the attainment of the Millennium Development Goals. He set out the various risk factors associated with waste, such as contamination of water and food and respiratory infections from toxic fumes, pointing out that contaminated waste particularly

affected children's morbidity and mortality. He said that it was necessary to build partnerships for action, develop normative guidelines, enhance joint research, promote the central role of health in environmental policy and build capacity to understand better the links between health, environment and sustainable development.

34. Mr. Degré gave a slide presentation on his company's approach to waste management through co-processing in resource-intensive industries. He said that co-processing was a key part of sustainable development, which was, in turn, an element of his company's vision and mission, given that it was a sound alternative to disposal programmes and would help to solve local environmental problems and reduce industries' ecological footprint. He explained the benefits of co-processing, such as reduced waste management costs and health and environmental impacts, and called for the development of a specific legal framework to govern it.

35. Ms. Corra set out the role of the International Society of Doctors for the Environment, seeking to highlight the essential role played by human health in sustainable development in the light of the problems facing developing countries because of the lack of, or inadequate, chemicals and hazardous waste management. She urged cooperation between all sectors, including organizations within the United Nations system, to take required actions such as capacity-building to enable countries to understand the cost of the health effects of chemicals and hazardous waste and the development of local and regional indicators to identify the main risks. She noted that if no global measures were taken to prevent potential hazardous exposure the environmental burden of disease, particularly on developing countries, would continue to increase.

## **(b) Discussion**

36. Many representatives gave presentations on methods of waste management in and the achievements of their respective countries as indicated, for example, by increased recycling rates and reduced volumes of waste for final disposal. Other representatives highlighted the development of legislation, guidelines and policies related to waste management.

37. The representative of a regional grouping commented on the significant increase in the production of chemicals throughout the world and the burden that that created in the disposal of hazardous wastes, especially in developing countries that lacked the technology for adequate disposal.

38. Representatives expressed unequivocal support for the Basel Convention and a strong desire to see increased action in areas such as waste reduction, resource productivity, increased recycling and capacity-building in waste management in developing countries. Support was expressed for the entry into force of the Ban Amendment as soon as possible and for the proposed regional centre for South Asia.

39. Many representatives emphasized the need to raise the profile of the Convention and to enhance public awareness through affirmative campaigns. It was noted that the Convention's partnership programmes could promote the involvement of industry in protecting the health of workers and persons involved with the waste management sector, especially in developing countries.

40. A large number of representatives encouraged developed countries to make environmentally sound technology and management experience in waste disposal available to the developing world. One representative proposed creating appropriate coordinating mechanisms to take advantage of lessons learned and successful experiments under other relevant international treaties and protocols, together with an effective permanent financial mechanism. In that context, it was noted that synergies with the Stockholm and Rotterdam conventions and with other relevant international treaties could contribute to the protection of human health through national, regional and international programmes and interregional exchanges of best practices.

41. The representative of a small island developing State drew attention to the problems faced by States such as his own in ensuring the sustainable management of waste. Lifestyle changes had resulted in the generation of a wider range of inorganic, hazardous and toxic wastes that necessitated new approaches to disposal and treatment. The disposal of wastewater was becoming a major problem as outflows from septic tanks were discharged directly into coastal waters.

42. One representative stressed the importance of implementing the "polluter pays" principle systematically. It was noted that waste-exporting countries, unlike developing countries, had the resources and technology to detect illegal trafficking and stiffer penalties for such trafficking were recommended. Developing countries should not become a dumping ground for hazardous wastes on the

pretext of recycling and reuse. One representative emphasized that multinational companies should abide by the environmental regulations that were applicable in their home countries.

43. One representative proposed creating an effective international mechanism to regulate attempts by industrialized countries to market new chemical products in developing countries, noting that industry marketed thousands of such products notwithstanding their adverse impact on health and the environment. It was said that the environmentally sound management of hazardous wastes was essential for the protection of human health and that the effective implementation of the Convention would contribute to achievement of several of the Millennium Development Goals, including improvement of maternal health, lowering of child mortality rates and containment of transmissible diseases.

44. One representative suggested that some essential elements of the Bangkok Declaration on Environment and Health adopted by the Ministerial Regional Forum on Environment and Health in Southeast and East Asian Countries should be incorporated into "Bali Declaration" that was being proposed for adoption at the current meeting.

45. One representative emphasized the importance of establishing a hierarchical structure of public administrative and budgetary bodies to tackle hazardous waste issues; setting short-, medium- and long-term targets; providing for effective monitoring of the industrial and services sectors; training control staff; and ensuring permanent monitoring of the environment, especially of contaminated sites.

### **3. Panel 2**

#### **(a) Panel members' statements**

46. The members of the panel (in the order in which they spoke) were Mr. Jayakumar Chelaton, Director, Thanal; Mr. Muhammad Daggash, Chief Executive Officer, AshakaCem PLC; Mr. Jim Puckett, Coordinator, Basel Action Network; and Ms. Phonchan Kraiwatnutsorn, Director, Youth Venture Programme.

47. Mr. Chelaton gave a slide presentation on sustaining the environment through waste management and creating livelihoods. He recounted how the town of Kovalam, India, had been made what he termed "a zero waste destination". Referring to the tenets of managing hazardous waste, i.e., reduce, reuse, recycle, repair and reject, he highlighted how the principles of ethics, efficiency and economics, together with full public participation, had made the project a success.

48. Mr. Daggash gave a presentation on optimizing the energy balance of cement works and improving the population's living conditions, focusing on a project in northern Nigeria to establish a partnership between his company and local farmers to produce and use vegetable-based energy. Such a project would not endanger food security yet would produce significant energy while providing additional income for local farmers, reinforcing agricultural systems, improving environmental protection and empowering communities. It would act as a driver for rural development and would bring about increased sustainability for the companies involved. In conclusion, he said that the project was genuinely sustainable and provided a boost for the economy, the environment and the community at large.

49. In his presentation, Mr. Puckett said that, while he welcomed the potential of the Basel Convention, he was appalled at the inability of its Parties to seize and actualize its promise. He looked back at the genesis of the Ban Amendment and lamented the fact that it had not entered into force, meaning that the Parties were unable to end trade in hazardous wastes. Referring to the incidents of toxic waste dumping in Côte d'Ivoire in 2006 and citing further worldwide problems relating to hazardous and other wastes, he said that it was time for the Parties to the Convention to discharge their duties and called for the entry into force and subsequent ratification of the Ban Amendment. Noting that the vast majority of Parties supported that amendment, he called for them to exercise the provision within the rules of procedure to vote on whether it should enter into force. He also urged further enforcement efforts, working closely with customs services and prosecuting all forms of illegal traffic. In conclusion, he said that, unless it could ensure the implementation and enforcement of the Convention, the Conference of the Parties would forfeit its integrity and relevance.

50. Ms. Kraiwatnutsorn gave an audiovisual presentation showing activities undertaken under the Youth Venture programme, which harnessed the energy of young people in low-technology activities to promote social change. Youth Venture supported the activities with resources and knowledge rather than finance; typically, a core team gathered a group of volunteers that was able to disseminate the benefits of an activity widely in the community.



**(b) Discussion**

51. A number of themes emerged during the ensuing discussion. Several representatives expressed support for the theme of the meeting, drawing attention to the close linkages between protection of the environment, protection of human health and promotion of sustainable livelihood. A number of representatives highlighted the threat to human health of a new generation of waste, particularly e-waste. On the positive side, some wastes could be viewed as an opportunity, but one that required environmentally sound management, and several examples of innovative and enterprising activities at the national, regional and international levels were alluded to during the discussion.

52. A number of approaches to waste management were discussed, at all stages of the life cycle. Some representatives saw the “3R” (reduce, reuse and recycle) action plan put forward by the Group of Eight as a worthwhile model. Others mentioned waste prevention as a priority, with considerable implications for lifestyle choices and consumer behaviour, particularly in developed countries.

53. The relevance of waste generation and environmentally sound management to many other aspects of social and economic life, and to the attainment of the Millennium Development Goals, was viewed as an important advocacy opportunity, with the mainstreaming of waste management in policies and development strategies and plans boosted by highlighting the contribution that action to deal with waste could make to wider policy and economic objectives and to sustainable development. Such an approach necessitated the involvement of a broad range of stakeholders, including Governments, enterprises in the formal and informal sectors, civil society and individuals.

54. Resource mobilization and financing were mentioned repeatedly throughout the discussion, particularly with regard to the proper functioning of the Secretariat and other organs of the Convention and the status of the Basel Convention regional centres, with many lamenting the financial and other constraints that had limited their ability to function effectively. Many speakers expressed concern that much of the burden of improper waste management was falling on the countries and communities that had the least capacity to counteract the problem, and there were calls for greater assistance for developing countries as they sought to put in place waste management, monitoring and regulatory systems and, particularly, to control illegal dumping and trafficking of waste. Several representatives called on all Parties to honour their financial obligations to the Convention so that it might effectively fulfil its mandate.

55. Lastly, a number of speakers, while expressing their commitment to the Basel Convention, spoke of the role and direction of the Convention as it approached its twentieth anniversary. Several expressed support for the moves towards closer cooperation and coordination between the Basel, Rotterdam and Stockholm conventions and for improved linkages with other international instruments related to a diverse range of issues, including biodiversity and climate change. A number of representatives said that failure to ratify the Ban Amendment significantly weakened the authority of the Convention and urged Parties that had not ratified it to do so.

**3. Summary by the moderator**

56. In his summary, Mr. Steiner praised the substantive comments and wide-ranging debate, in which a large number of Parties had participated. The linkages between waste, human well-being, the environment and attainment of the Millennium Development Goals were evident, but a considerable advocacy effort was still required to persuade policy and decision makers to take relevant and strong action.

57. He said that, while the scope of activity at the national level was apparent in spite of the many constraints, complementary action at the international level was beginning to lag behind, limiting the potential for countries to assist each other with capacity-building and other support. The fact that the regional centres, which offered so much promise to developing countries, were struggling to pay even their operating expenses was a case in point. There was a cost to such inaction and it was increasing, with recent evidence indicating that global warming was proceeding at a faster rate than previously projected.

58. It was essential, he continued, for the Parties at the current meeting to send a strong signal to the international community, and he urged participants to put aside minor differences and to demonstrate unity of purpose. He acknowledged that some frustration had been felt by representatives at the current relative weakness of the Convention and he expressed the hope that actions intended to give it new direction would bear fruit. Lastly, he said that UNEP had signalled its commitment to the international environmental agenda through recent initiatives, including provision of \$1 million to help combat

mercury waste and \$2 million to assist coordination among the multilateral environmental agreement secretariats.

### **C. Adoption of the Bali Declaration on Waste Management for Human Health and Livelihood**

59. At its 4th plenary session, on the afternoon of Friday, 27 June 2008, the Conference considered a conference room paper, prepared by Indonesia in consultation with other Parties, containing the draft text of a declaration on waste management for human health and livelihood.

60. Mr. Steiner recalled the success of the high-level segment on the theme “Waste management for human health and livelihood”. Waste management, he said, was not simply an issue of minimizing environmental impact but was central to human health and well-being, and was thus at the core of the development agenda and not marginal to it. He reiterated his call for the Basel Convention to be provided with adequate resources to drive its activities at the international level and to complement and support the wide variety of activities taking place at the national level.

61. The Conference adopted the Bali Declaration on Waste Management for Human Health and Livelihood, which is set out as annex II to the present report. Following its adoption, the representative of the United States of America said that there had not been sufficient time for internal consultation and that his country interpreted the term “and from other States” in the introductory text to indicate the existence of general support for the declaration.

## **VI. Committee for Administering the Mechanism for Promoting Implementation and Compliance of the Basel Convention**

62. At the 4th plenary session, on the afternoon of Friday, 27 June 2008, the Conference elected the following persons from the five United Nations regional groups to serve as members of the Compliance Committee:

African group:	Mr. Dessalegne Mesfin (Ethiopia)
Asian group:	Ms. Leela Padmini Batuwitige (Sri Lanka)
Central and Eastern European group:	Ms. Zdenka Bubenikova (Czech Republic)
Latin American and Caribbean group:	Ms. Jacqueline Alvarez (Uruguay)
Western European and other countries group:	Mr. Roy Watkinson (United Kingdom)

63. A decision on the membership of the Compliance Committee is set out as decision IX/1 in annex I to the present report.

64. By its decision IX/2, the Conference also approved the work programme that had been presented for consideration by the Compliance Committee, subject to amending its duration to be from 2009 to 2011 to match the triennium cycle of the budget.

## **VII. Implementation of the decisions adopted by the Conference of the Parties at its eighth meeting**

65. As noted in section B of chapter IV above, the Conference entrusted consideration of the present item to the Committee of the Whole and asked it to prepare draft decisions for the consideration of the Conference. The Committee’s treatment of the present item is described in its report, which is set out in annex V to the present report.

66. At its 4th session, on the afternoon of Friday, 27 June 2008, the Conference adopted the decisions that had been approved by the Committee of the Whole for its consideration under the present item, together with those decisions on which the Committee of the Whole had been unable to reach consensus or which time constraints had precluded it from considering and which had been referred directly to the Conference of the Parties from the contact groups that had prepared them. Except as indicated below, the Conference adopted the decisions without comment or amendment. The decisions as adopted are set out in annex I to the present report. The following table lists the decisions adopted under this item.

<b>Decision</b>	<b>Title</b>	<b>Agenda item</b>
IX/3	Strategic Plan and new strategic framework	7 (a) (ii), (iii)
IX/4	Review of the operation of the Basel Convention regional and coordinating centres	7 (b)
IX/5	Proposal for the establishment of a regional centre for South Asia in the South Asia Cooperative Environment Programme	7 (b)
IX/6	Nairobi Declaration on the Environmentally Sound Management of Electrical and Electronic Waste	7 (c)
IX/7	Convention Partnership Programme workplan for 2009–2011	7 (d)
IX/8	Mobile Phone Partnership Initiative	7 (d)
IX/9	Partnership for Action on Computing Equipment	7 (d)
IX/10	Cooperation and coordination among the Basel, Rotterdam and Stockholm conventions	7 (e)
IX/11	International cooperation and coordination	7 (f)
IX/12	Cooperation between the Basel Convention and the International Maritime Organization	7 (f)
IX/13	National reporting	7 (g)
IX/14	Environmentally sound management of used tyres	7 (h)
IX/15	Technical guidelines on the environmentally sound management of mercury wastes	7 (h)
IX/16	Persistent organic pollutants	7 (h)
IX/17	Review of other selected technical guidelines pursuant to decision VIII/17, e.g., on incineration on land (D10), specially engineered landfill (D5) and wastes collected from households (Y46)	7 (h)
IX/18	Review of work on the guidance papers on H10 and H11 pursuant to decision VIII/21	7 (h)
IX/19	Review of cooperation with the World Customs Organization and its Harmonized System Committee pursuant to decision VIII/20	7 (h)
IX/20	Harmonization and coordination	7 (h)
IX/21	National classification and control procedures for the import of wastes contained in Annex IX	7 (h)
IX/22	Implementation of decision V/32 on enlargement of the scope of the Trust Fund to Assist Developing and Other Countries in Need of Assistance in the Implementation of the Basel Convention	7 (i)
IX/23	Enforcement: National legislation and other measures adopted by Parties to implement the Basel Convention and to combat illegal traffic	7 (i)
IX/24	Protocol on liability and compensation	7 (i)
IX/25	Addressing the interpretation of paragraph 5 of article 17 of the Basel Convention	7 (i)
IX/26	President's statement on the possible way forward on the Ban	7 (i)

Decision	Title	Agenda item
	Amendment	
IX/27	National definitions of hazardous wastes	7 (i)
IX/28	Article 11 agreements and arrangements	7 (i)
IX/29	Designation of competent authorities and focal points	7 (i)
IX/30	Dismantling of ships	7 (j)
IX/31	Programme budget for the period 2009–2011	7 (k)

67. Following the adoption of decision IX/4 on the Basel Convention regional and coordinating centres, one representative said that funding for the implementation of activities through the regional and coordinating centres should be sustainable and that efforts should be made in future to allocate resources from the usual trust fund for that purpose.

68. Following the adoption of decision IX/10 on cooperation and coordination among the Basel, Rotterdam and Stockholm conventions, a number of representatives congratulated the Conference on its historic decision to lead the way in promoting cooperation and coordination among the three conventions, thereby reinforcing and strengthening the Basel Convention, raising its profile in the world development agenda and enhancing its ability to fulfil its mandate.

69. Under item 7 (i), the contact group established by the Committee of the Whole had been unable to reach consensus on the development of a draft decision to reach an agreed interpretation of paragraph 5 of article 17 of the Basel Convention and accordingly, owing to a lack of time, the Committee of the Whole had decided to refer the issue directly to the Conference of the Parties for further consideration in plenary session. At its 4th session, on the afternoon of Friday, 27 June 2008, the Conference was informed by the chair of the legal contact group that, as consensus had not been reached on the elements of a draft decision, the group had decided to reinstate the text that the Conference of the Parties had received for the sixth meeting of the Open-ended Working Group and retain the outcomes of negotiations at the ninth meeting of the Conference of the Parties in footnotes for consideration.

70. Following the adoption of decision IX/25 on addressing the interpretation of paragraph 5 of article 17 of the Basel Convention, the President introduced a proposal, in the form of a statement, on a possible way forward on the Ban Amendment. He explained that his intention was to try to break the deadlock that for many years had prevented progress with the issue. He also explained that, in preparing his statement, he had worked in close consultation with many delegations during the course of the meeting.

71. Accordingly, the Conference adopted a decision acknowledging the President's statement on a possible way forward on the Ban Amendment and inviting Parties to give due consideration to the proposed way forward. The decision as adopted is set out as decision IX/26 in annex I to the present report. The President's statement is set out in the annex to the decision. In this regard, the representative of Switzerland announced that Indonesia and Switzerland has agreed to organize jointly an activity to seek to advance progress in the context of the President's statement.

72. Under agenda item 7 (k), the President announced that Mr. Paul Garnier of Switzerland had replaced Mr. Kárel Bláha of the Czech Republic as co-chair of the contact group on financial matters owing to a clash of commitments. He invited Mr. Garnier to introduce the draft decision on the programme budget for the biennium 2009–2010 which had been prepared by the contact group. Following discussion, the Conference adopted the draft decision. The decision as adopted is set out as decision IX/31 in annex I to the present report. Following the adoption of the decision the representative of Argentina expressed reservations regarding paragraph 12 of the decision and the representatives of Switzerland and of the European Community, the latter of whom also spoke on behalf of the European Union and its 27 member States, expressed reservations regarding paragraph 19 of the decision.

## **VIII. Work programme of the Open-ended Working Group**

73. As noted in section B of chapter IV above, the Conference entrusted consideration of the present item to the Committee of the Whole and asked it to prepare a draft decision for the consideration of the Conference. The Committee's treatment of the present item is described in its report, which is set out in annex V to the present report.

74. At its 4th session, on the afternoon of Friday, 27 June 2008, the Conference adopted the decision that had been approved by the Committee of the Whole for its consideration under the present item. The Conference elected by acclamation the members of the Bureau of the Open-ended Working Group for the triennium 2009–2011. The decision as adopted is set out as decision IX/32 in annex I to the present report.

75. Following the adoption of decision IX/32 on the work programme of the Open-ended Working Group, one representative requested the Secretariat to consider the revision of the draft technical guidelines, saying that some aspects, such as incineration on land and the co-processing of hazardous wastes in the context of the Basel Convention, had not been sufficiently dealt with. It was agreed that the Secretariat should take note of the request.

## **IX. Twentieth anniversary of the adoption of the Basel Convention (2009)**

76. The Conference considered the item at its 3rd session, on the morning of Friday, 27 June 2008. The Executive Secretary of the Basel Convention gave a brief review of the options available to mark the twentieth anniversary of the adoption of the Basel Convention, including a high-level event, linkage to another high-level event or incorporation of an event into the tenth meeting of the Conference of the Parties in 2010. The Conference took note of the options and agreed to defer discussion of the matter to a later date when more information was available.

## **X. Credentials of representatives**

77. The Conference considered the item at its 3rd session, on the morning of Friday, 27 June 2008. The Executive Secretary said that the Bureau had examined the credentials of the representatives attending the meeting and had found the credentials of 81 Parties to be in order. A further four credentials had been received but had been found not to be in order; 11 Parties were present without credentials. Following the advice of the Bureau, it was decided that those Parties whose credentials were not in order would have seven days following the end of the meeting to present the originals of their credentials to the Secretariat. Those failing to do so would be listed as present at but not accredited to the meeting. The following Parties presented credentials by the deadline and were duly accredited to the meeting: Algeria, Argentina, Australia, Austria, Belgium, Bhutan, Brazil, Brunei Darussalam, Cambodia, Cameroon, Canada, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Czech Republic, Denmark, Egypt, El Salvador, Estonia, European Community, Finland, France, Germany, Greece, Hungary, India, Indonesia, Iran (Islamic Republic of), Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Latvia, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Malaysia, Mali, Malta, Mauritania, Mauritius, Mexico, Morocco, Mozambique, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Saint Lucia, Samoa, Senegal, Singapore, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Thailand, Trinidad and Tobago, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Viet Nam and Zambia.

## **XI. Other matters**

### **A. Date and venue of the tenth meeting of the Conference of the Parties**

78. At its 4th plenary session, on the afternoon of Friday, 27 June 2008, the Conference of the Parties adopted a draft decision on the date and venue of its tenth meeting, which would be held at the seat of the Secretariat in Geneva if no Party agreed to host it. In the light of its decision to adopt a three-year budget cycle, the Conference agreed to hold its tenth meeting in 2011. The decision as adopted is set out as decision IX/33 in annex I to the present report.

## **B. South-South workshop on waste management**

79. At the final session of the meeting, on the evening of Friday, 27 June 2008, the representative of Indonesia reported to the Conference on a South-South cooperation workshop on waste management law and governance, organized jointly by the Government of the Republic of Indonesia, UNEP and the Non-Aligned Movement Centre for South-South Technical Cooperation, which had been held in Bali immediately prior to the current meeting, and drew attention to the report of the workshop, which could be consulted on the website of the UNEP Division of Environmental Law and Conventions (<http://www.unep.org/law>) and which, he said, contained a number of useful recommendations and suggested follow-up actions. The Conference took note of the workshop and its report.

## **C. Expression of gratitude to the host Government**

80. At its 4th plenary session, on the afternoon of Friday, 27 June 2008, the Conference adopted a resolution thanking the Government of Indonesia for hosting the current meeting. The resolution as adopted is set out following the decisions in annex I to the present report.

## **XII. Adoption of the decisions and the report**

81. The Conference of the Parties adopted decisions on a number of issues relevant to the items on the agenda of the meeting. The adoption of each such decision is described in the section of the present report in which the issue to which the decision relates is discussed. The decisions as adopted are set out in annex I to the present report.

82. At its 4th session, on the afternoon of Friday, 27 June, the Conference adopted the present report on the basis of the draft report contained in documents UNEP/CHW.9/L.1 and L.1/Add.1, on the understanding that the finalization of the report would be entrusted to the Secretariat, working in consultation with the President and the Rapporteur.

## **XIII. Closure of the meeting**

83. Upon the completion of the business of the meeting, the President made a statement in which he called for strengthened cooperation and coordination in seeking to prevent further damage to human health and the environment and expressed gratification at the forthright manner in which the Conference had dealt with the issue of the Ban Amendment at the current meeting. Following that statement and the customary exchange of courtesies, the President declared the meeting closed at 9.10 p.m. on Friday, 27 June 2008.

## Annex I

### Decisions adopted by the Conference of the Parties at its ninth meeting

Decision	Title	Agenda item
IX/1	Membership of the Committee for Administering the Mechanism for Promoting Implementation and Compliance of the Basel Convention	6
IX/2	Work programme for the Committee for Administering the Mechanism for Promoting Implementation and Compliance of the Basel Convention for the period 2009–2011	6
IX/3	Strategic Plan and new strategic framework	7 (a) (i) (ii), (iii)
IX/4	Review of the operation of the Basel Convention regional and coordinating centres	7 (b)
IX/5	Proposal for the establishment of a regional centre for South Asia in the South Asia Cooperative Environment Programme	7 (b)
IX/6	Nairobi Declaration on the Environmentally Sound Management of Electrical and Electronic Waste	7 (c)
IX/7	Convention Partnership Programme workplan for 2009–2011	7 (d)
IX/8	Mobile Phone Partnership Initiative	7 (d)
IX/9	Partnership for Action on Computing Equipment	7 (d)
IX/10	Cooperation and coordination among the Basel, Rotterdam and Stockholm conventions	7 (e)
IX/11	International cooperation and coordination	7 (f)
IX/12	Cooperation between the Basel Convention and the International Maritime Organization	7 (f)
IX/13	National reporting	7 (g)
IX/14	Environmentally sound management of used tyres	7 (h)
IX/15	Technical guidelines on the environmentally sound management of mercury wastes	7 (h)
IX/16	Persistent organic pollutants	7 (h)
IX/17	Review of other selected technical guidelines pursuant to decision VIII/17, e.g., on incineration on land (D10), specially engineered landfill (D5) and wastes collected from households (Y46)	7 (h)
IX/18	Review of work on the guidance papers on H10 and H11 pursuant to decision VIII/21	7 (h)
IX/19	Review of cooperation with the World Customs Organization and its Harmonized System Committee pursuant to decision VIII/20	7 (h)
IX/20	Harmonization and coordination	7 (h)
IX/21	National classification and control procedures for the import of wastes contained in Annex IX	7 (h)

<b>Decision</b>	<b>Title</b>	<b>Agenda item</b>
IX/22	Implementation of decision V/32 on enlargement of the scope of the Trust Fund to Assist Developing and Other Countries in Need of Assistance in the Implementation of the Basel Convention	7 (i)
IX/23	Enforcement: National legislation and other measures adopted by Parties to implement the Basel Convention and to combat illegal traffic	7 (i)
IX/24	Protocol on liability and compensation	7 (i)
IX/25	Addressing the interpretation of paragraph 5 of article 17 of the Basel Convention	7 (i)
IX/26	President's statement on the possible way forward on the Ban Amendment	7 (i)
IX/27	National definitions of hazardous wastes	7 (i)
IX/28	Article 11 agreements and arrangements	7 (i)
IX/29	Designation of competent authorities and focal points	7 (i)
IX/30	Dismantling of ships	7 (j)
IX/31	Programme budget for the period 2009–2011	7 (k)
IX/32	Work programme of the Open-ended Working Group for 2009–2011	8
IX/33	Date and venue of the tenth meeting of the Conference of the Parties	11
	Resolution expressing gratitude to the Government of Indonesia	11

## **IX/1: Membership of the Committee for Administering the Mechanism for Promoting Implementation and Compliance of the Basel Convention**

### *The Conference of the Parties*

*Elects*, in accordance with the terms of reference contained in the annex to decision VI/12, the following members to serve on the Committee for Administering the Mechanism for Promoting Implementation and Compliance of the Basel Convention:

From the African group: Mr. Dessalegne Mesfin Fanta, Ethiopia

From the Asian group: Ms. Leela Padmini Batuwitage, Sri Lanka

From the Central and Eastern European group: Ms. Zdenka Bubenikova, Czech Republic

From the Latin American and Caribbean group: Ms. Jacqueline Alvarez, Uruguay

From the Western European and other countries group: Mr. Roy Watkinson, United Kingdom of Great Britain and Northern Ireland



## **IX/2: Work programme for the Committee for Administering the Mechanism for Promoting Implementation and Compliance of the Basel Convention for the period 2009–2011**

*The Conference of the Parties,*

*Noting* the report of the Committee for Administering the Mechanism for Promoting Implementation and Compliance of the Basel Convention on its work and the recommendations contained therein,

*Recognizing* the need to provide the Committee with sufficient funding in order to enable it to function effectively and to carry out its work programme,

1. *Approves* the work programme of the Committee for 2009–2011 set out in the annex to the present decision;
2. *Requests* the Committee to establish priorities, work methods and schedules with regard to the issues identified in the work programme and to coordinate with the Open-ended Working Group, the Secretariat and the Basel Convention regional centres in order to avoid duplication of activities;
3. *Calls upon* all Parties that are in a position to do so to make financial or in-kind contributions to enable the Committee to carry out its work programme;
4. *Requests* the Committee to report to the Conference of the Parties at its tenth meeting on the work it has carried out to fulfil its functions in accordance with paragraphs 23 and 24 of the terms of reference for the Mechanism for Promoting Implementation and Compliance of the Basel Convention;
5. *Calls upon* Parties to make use of the Mechanism for Promoting Implementation and Compliance of the Basel Convention;
6. *Decides* to enlarge the scope of the Trust Fund to Assist Developing Countries and other Countries in Need of Technical Assistance in the Implementation of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (Technical Cooperation Trust Fund) to establish an implementation fund to assist any Party that is a developing country or country with an economy in transition and is the subject of a submission made in accordance with paragraph 9 of the terms of reference of the Committee;
7. *Authorizes* the Committee to recommend use of the implementation fund referred to in paragraph 6 above, subject to the availability of resources, to assist Parties in the context of the facilitation procedure established under paragraph 20 of the Committee's terms of reference;
8. *Urges* Parties that are in a position to do so to provide contributions to the implementation fund referred to in paragraph 6 above to support the activities referred to in paragraph 7 above.

### **Annex to decision IX/2**

#### **Work programme for 2009–2011 of the Committee for Administering the Mechanism for Promoting Implementation and Compliance**

##### **I. Review of general issues of compliance and implementation under the Convention**

1. During the biennium 2009–2011 the Committee for Administering the Mechanism for Promoting Implementation and Compliance shall review the general issues identified in tables 1 and 2 below in accordance with paragraph 21 of the terms of reference for the mechanism contained in the annex to decision VI/12 of the Conference of the Parties and in accordance with the priorities and budget decided by the Conference of the Parties at its ninth meeting.

2. In doing so the Committee shall take full account of previous discussions and decisions by Basel Convention bodies on relevant issues and shall also take account of its mandate to complement the work performed by other bodies of the Basel Convention and by the Basel Convention regional centres.
3. The Committee shall also continue to monitor any developments on other issues addressed under its earlier work programmes.
4. In undertaking the review of general issues of compliance, the Committee may refer to, and cooperate with, all sources of information and expertise set forth in paragraph 22 of the terms of reference, including through collaboration with regional and international bodies with monitoring and enforcement responsibilities in respect of hazardous wastes.

**Table 1: Monitoring, assessing and facilitating reporting under article 13 of the Basel Convention**

Objective	Activity
Ensure and improve effective and complete national reporting.	<ol style="list-style-type: none"> <li>(a) Review information held by the Secretariat under article 13 of the Convention.</li> <li>(b) Compile: <ol style="list-style-type: none"> <li>(i) A list of Parties which have submitted annual reports;</li> <li>(ii) A list of Parties which have not submitted annual reports;</li> <li>(iii) A list of Parties which have submitted complete reports;</li> <li>(iv) A list of Parties which have submitted reports that are obviously only partially complete.</li> </ol> </li> <li>(c) Assess the status of reporting, identifying the difficulties faced by Parties in fulfilling their national annual reporting obligations and their needs for assistance with respect to reporting.</li> <li>(d) Classify and publish Parties' compliance performance with respect to the annual national reporting obligations.</li> <li>(e) Develop further guidance documents on best practices in national reporting, including mechanisms for coordination among relevant governmental and other entities, procedures for the collection and exchange of information, data collection techniques and technical resources and relevant methods necessary to optimize the completion of national reports.</li> <li>(f) Promote and facilitate the exchange of information on best available practices and best available techniques between developed countries and developing countries, including countries with economies in transition, on development of national reporting.</li> </ol>

**Table 2: Implementation of, and compliance with, specified obligations under the Basel Convention**

Objective	Activity
Ensure and improve implementation of, and compliance with, specified obligations under articles 3, 4, 5 and 6 of the Convention.	<ol style="list-style-type: none"> <li>(a) Review notifications transmitted by Parties to the Secretariat on national definitions of hazardous waste under Article 3 of the Convention.</li> <li>(b) Review notifications transmitted by Parties which prohibit the import of hazardous wastes or other wastes for disposal, and those which prohibit or do not permit the export of hazardous wastes and other wastes, under paragraphs 1 (a) and (b) of article 4 of the Convention.</li> <li>(c) Review Parties' compliance with the duty to designate competent authorities and focal points under article 5 of the Convention.</li> <li>(d) Compile: <ol style="list-style-type: none"> <li>(i) A list of Parties which have designated competent authorities and focal points;</li> <li>(ii) A list of Parties which have not designated competent authorities or focal points.</li> </ol> </li> <li>(e) Identify difficulties faced by Parties in designating competent authorities and focal points and their needs for assistance to meet this requirement.</li> </ol>

Objective	Activity
	<p>(f) Review and assess the application of the control system for the transboundary movement of wastes (notification document and movement document) and the difficulties that Parties face in implementing the system.</p> <p>(g) Review the status of existing national legislation and other legal or administrative measures, including implementation regulations, and identify needs for assistance.</p> <p>(h) Assess the compliance and implementation status of specified obligations of the Parties under articles 3, 4, 5 and 6 of the Basel Convention and publish the conclusions resulting from such assessment.</p> <p>(i) Provide general information and guidance on the Basel Convention website, or through publications, to facilitate, promote, and aim to secure the implementation of Parties' obligations under articles 3, 4, 5 and 6 of the Convention. The Secretariat may identify to the Committee those difficulties in implementation that Parties have frequently identified in their communications with the Secretariat.</p>

## II. Specific submissions regarding Party implementation and compliance

5. The Committee shall give priority to dealing with specific submissions regarding Party implementation and compliance received in accordance with paragraph 9 of the terms of reference.

6. At the time of the convening of the sixth session of the Committee on 28 February 2008, the Committee had not received any specific submissions from Parties. In the light of this fact the Committee shall address existing shortcomings and limitations in relation to the lack of specific submissions to the Committee, as described in the Committee's report for the ninth meeting of the Conference of the Parties, with a view to developing recommendations for the consideration of the Conference of the Parties at its tenth meeting on appropriate actions to address those shortcomings and limitations. In undertaking this element of its work programme, the Committee may refer to the sources of information set forth in paragraph 22 of its terms of reference.

## IX/3: Strategic Plan and new strategic framework

*The Conference of the Parties,*

*Recalling* its decision VIII/10 and decision VI/28 of the Open-ended Working Group,

*Also recalling* paragraph 7 of Article 15 of the Convention,

*Recognizing* that the preparation of a new strategic framework for the implementation of the Basel Convention would benefit from an effectiveness evaluation of the implementation of the Convention,

*Re-emphasizing* the critical importance of the Strategic Plan for the Implementation of the Basel Convention for Parties and others,

*Noting* the concerted efforts undertaken by Parties in implementing the Strategic Plan and by the Basel Convention regional and coordinating centres, the Secretariat and other stakeholders in supporting their implementation,

*Taking into consideration* the ongoing review of the implementation of the Strategic Plan for the 2002–2010 period, the reports by the Secretariat on the implementation of the Strategic Plan<sup>1</sup> and the comments received from Parties to date on the developments and obstacles in the implementation of the Strategic Plan,

*Recognizing* the need for a new strategic framework for a ten-year period from the tenth meeting of the Conference of the Parties in the light of the evolving needs of the Parties to the Convention,

*Considering* the changing scientific, environmental, technical and economic circumstances under which the Convention is working; the challenges faced by Parties in implementation and by the Basel Convention regional and coordinating centres, the Secretariat and others in supporting their

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1 UNEP/CHW.7/3, UNEP/CHW.7/4, UNEP/CHW.8/2Add.1 and Add.2 and UNEP/CHW.9/4.

implementation; and the need to ensure that appropriate and innovative approaches are used to meet the objectives of the Convention,

*Noting* that the Conference of the Parties can further consider the effectiveness of the implementation of the Convention,

*Recognizing also* the importance of gathering and analysing data and information required to provide an evaluation of the effectiveness of the implementation of the Convention as a basis for the preparation of a new strategic framework,

1. *Decides* that a new strategic framework for the implementation of the Basel Convention is required for a ten-year period so that the Basel Convention will promote the environmentally sound management of waste and will play a decisive role in highlighting the links between waste management and the achievement of the Millennium Development Goals and human health and livelihood;

2. *Decides* that the current Strategic Plan should continue to be implemented until a new strategic framework is adopted by the Conference of the Parties at its tenth meeting;

3. *Invites* Parties, non-Parties, intergovernmental organizations, members of the industry and business sectors and non-governmental organizations to provide financial resources or in-kind assistance to countries that need support in implementing the current Strategic Plan and developing a new strategic framework;

4. *Further decides* that a new strategic framework should:

(a) Be based on the objectives of article 4 of the Convention;

(b) Be based, among other things, on;

(i) Best possible knowledge on levels and trends of transboundary waste streams and the environmentally sound management of wastes;

(ii) Assessment of capacities of developing countries and countries with economies in transition;

(iii) Acknowledgement of specific challenges being faced by small island developing States and least developed countries in the environmentally sound management of wastes;

(c) Consider the enhanced cooperation and coordination among the Basel, Stockholm and Rotterdam conventions;

(d) Make full use of the Basel Convention regional and coordinating centres and take account of the capacities and role of the centres;

(e) Acknowledge that resource mobilization should be seen as a very important element in consideration of the Basel Convention's new strategic framework and reinforce commitment to taking an active and comprehensive approach to resource mobilization, as set out in decision VIII/34;

(f) Be attractive to partners beyond the Basel Convention, including the United Nations Environment Programme, the United Nations Development Programme, the United Nations Institute for Training and Research, the Global Environment Facility, the World Bank and donors, civil society and the private sector;

(g) Continue collaboration with intergovernmental organizations;

(h) Benefit from an understanding of the lessons learned from the previous Strategic Plan in meeting the objectives of the Convention and from other assessments on experiences of the Convention;

5. *Welcomes* the medium-term strategy of the United Nations Environment Programme, including the thematic priority areas related to harmful substances and hazardous waste and resource efficiency, sustainable consumption and production, and considers that there should be a close relationship between the new strategic framework and the medium-term strategy;

6. *Urges* Parties, signatories, the regional and coordinating centres and others to submit further comments on the developments and obstacles in the implementation of the current Strategic Plan to the Secretariat by 30 November 2008 and also requests the secretariat to develop further options to engage better all Parties in this consultation process;

7 *Invites* each Party to nominate a contact person to facilitate liaison with the Secretariat in the review of the Strategic Plan, in the facilitation of the effectiveness evaluation and the development of a new strategic framework;

8. *Directs* the Secretariat to consult with the designated contacts at the key stages in the review of the Strategic Plan, in the facilitation of the effectiveness evaluation and in the development of a new strategic framework;

9 *Requests* the Secretariat to prepare a report, taking into account information gathered from consultations as described in paragraphs 6, 7 and 8 above, containing information and conclusions on the review of the implementation of the Strategic Plan and, among other things, a comparative assessment of the Plan and the results of the implementation of the Plan, with a view to its publication on the Basel Convention Secretariat website by 30 March 2009;

10. *Invites* Parties, signatories, the regional and coordinating centres and others to submit to the Secretariat by 30 June 2009, taking into account the report referred to in paragraph 9 above,:

(a) Data and information required to facilitate an evaluation of the effectiveness of the implementation of the Convention as a basis for the preparation of a new strategic framework;

(b) Views on a new strategic framework for the implementation of the Basel Convention, in particular with regard to potential elements of the framework, including indicators of achievement and performance, and also the respective roles of the Secretariat, the Basel Convention regional and coordinating centres and other partners in its future implementation;

11. *Requests* the Secretariat to prepare, based on the comments received, a first draft of a new strategic framework for publication on the Basel Convention website by 31 January 2010 and for consideration by the Open-ended Working Group at its seventh meeting;

12. *Invites* Parties, signatories, the regional and coordinating centres and others to submit comments on the first draft of a new strategic framework to the Secretariat by 30 April 2010;

13. *Decides* to establish an open-ended coordination group operating within the framework of and meeting back-to-back preceding the Open-ended Working Group and reporting to the Open-ended Working Group, in order to scrutinize the draft strategic framework prepared by the Secretariat and advise on and prepare elements for a new strategic framework, based on the work of the Secretariat and the consultative process outlined above in the present decision;

14. *Requests* the Open-ended Working Group, based on its consideration of the draft referred to in paragraphs 11, 12 and 13 above and the outputs of the coordination group referred to in paragraph 13 above, to prepare a draft strategic framework for the implementation of the Basel Convention for adoption by the Conference of the Parties at its tenth meeting.

#### **IX/4: Review of the operation of the Basel Convention regional and coordinating centres**

*The Conference of the Parties,*

*Recalling* paragraph 1 of article 14 of the Convention,

*Recognizing* the role of the Basel Convention regional and coordinating centres in the implementation of the Basel Convention and its Strategic Plan,

*Considering* the conclusions and recommendations of the report by the Secretariat on the operation of the Basel Convention regional and coordinating centres,<sup>2</sup>

*Recalling* paragraph 4 of decision VI/4 of the Conference,

*Considering* the recommendation of the ad hoc joint working group on enhancing cooperation and coordination among the Basel, Rotterdam and Stockholm conventions with regard to the coordinated use of regional offices and centres,<sup>3</sup>

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2 UNEP/CHW.9/INF/6.

3 UNEP/CHW.9/14.

*Noting* with appreciation the precedent set by the Global Environment Facility in deciding to designate a Basel Convention regional centre as an executing agency for activities funded by the Facility,

*Mindful* that several Basel Convention regional and coordinating centres have applied to serve as Stockholm Convention regional or subregional centres for capacity-building and the transfer of environmentally sound technology,

*Mindful also* that, at its sixth session, the Open-ended Working Group of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal was requested to initiate the review of the operation of the Basel Convention regional and coordinating centres, including their relationship with Convention bodies, including the Secretariat, and other stakeholders, in order to enhance the combined effectiveness and capacity of the centres and the Secretariat,

1. *Concludes*, in consideration of the conclusions and recommendations set out in the report by the Secretariat:

(a) That it is necessary to ensure the performance of the core functions of the Basel Convention regional and coordinating centres identified in appendices I and II to decision VI/3 of the Conference of the Parties and to encourage the exchange of information and expertise between the various centres;

(b) That, in relation to the Basel Convention regional and coordinating centres, the Secretariat, pursuant to the provisions of the Basel Convention, plays, *inter alia*, an important facilitative and catalytic role in mobilizing financial resources and technical assistance for programmes delivered through regional centres and in providing guidance on effective governance and administration arrangements, subject to the availability of resources;

(c) That it is necessary to ensure adequate training for the centres' staff in fund-raising and project management and to set in place effective governance arrangements, with the aim of having Basel Convention regional and coordinating centres that are capable of effectively and efficiently supporting Parties in the implementation of the Convention in a sustainable manner;

(d) That the regional nature of the Basel Convention regional and coordinating centres should be reinforced, including through strengthening and building on existing mechanisms and through the full and active engagement of all countries in the activities of the centres, without prejudice to existing framework agreements;

(e) That the Basel Convention regional and coordinating centres could play an important role in implementing activities related to chemical and waste instruments, including the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, the Stockholm Convention on Persistent Organic Pollutants and the Strategic Approach to International Chemicals Management, while acknowledging that some centres already play that role;

2. *Encourages* the Basel Convention regional and coordinating centres to revise their business plans to follow up relevant recommendations in the report by the Secretariat on their operation;

3. *Requests* the Secretariat, subject to the availability of funds, to prepare the following documents to be published on the Basel Convention website by 30 November 2009 and to be submitted to the Open-ended Working Group at its next session with a view to developing further the conclusions and recommendations set out in the report by the Secretariat on the operation of the Basel Convention regional and coordinating centres and to addressing the recommendations of the *ad hoc* joint working group on enhancing cooperation and coordination among the Basel, Rotterdam and Stockholm conventions:

(a) Draft workplan for the strengthening of the Basel Convention regional and coordinating centres, taking into account the catalogue of actions set out in section 3 of the report by the Secretariat;

(b) Detailed list of the necessary elements for the performance of the core functions based on appendices I and II to decision VI/3;

(c) Draft strategic framework for the financial sustainability of the centres that would assist the Basel Convention regional and coordinating centres in developing strategies for their financial sustainability, including exploring the use of the Trust Fund to Assist Developing Countries and other Countries in Need of Technical Assistance in the Implementation of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (Technical Cooperation Trust Fund);

(d) Set of indicators to measure performance and impediments in relation to the functions and impacts of the Basel Convention regional and coordinating centres;

4. *Invites* Parties, signatories and others to submit comments on the documents referred to in paragraph 3, above, to the Secretariat by 30 April 2010;

5. *Mandates* the Open-ended Working Group, in finalizing the workplan for strengthening the Basel Convention regional and coordinating centres, based on the draft to be prepared by the Secretariat pursuant to paragraph 3 (a) above, to consider the actions proposed in the workplan and to submit the final workplan to the Conference of the Parties at its tenth meeting for consideration and adoption;

6. *Urges* Parties and signatories, especially donor countries, and invites other constituents in a position to do so and, where appropriate, multilateral donors to provide necessary financial support, including to the Technical Cooperation Trust Fund, for the strengthening of the Basel Convention regional and coordinating centres in order to enable the centres to operate in accordance with their core functions and regional roles;

7. *Requests* the Secretariat to report to the Conference of the Parties at its tenth meeting on developments in the operation of the Basel Convention regional and coordinating centres.

## **IX/5: Proposal for the establishment of a regional centre for South Asia in the South Asia Cooperative Environment Programme**

*The Conference of the Parties,*

*Recalling* its decisions III/19 and VIII/3,

*Taking note* of the proposal submitted by the South Asia Cooperative Environment Programme for the establishment in the Programme of a regional centre for South Asia, to be located in Colombo, Sri Lanka,

*Taking note* of the ongoing review of the operation of the Basel Convention regional and coordinating centres,

*Taking note* of decision 9.3.5 taken by the Governing Council of the South Asia Cooperative Environment Programme at its tenth meeting,

*Expresses* its appreciation for the efforts undertaken by the South Asia Cooperative Environment Programme;

*Invites* the South Asia Cooperative Environment Programme to enter into consultations with the host countries of the Basel Convention regional and coordinating centres in China, Indonesia, the Islamic Republic of Iran and the Russian Federation, and also with the related members served by the centres, in order to define the relationship of the proposed centre with the others and its comparative advantage;

*Invites* the South Asia Cooperative Environment Programme to update the proposal in the light of the outcome of these consultations and of new information provided in relation to the outstanding issues identified by the Secretariat in the original review of the proposal;

*Requests* the South Asia Cooperative Environment Programme to submit to the Open-ended Working Group an updated proposal for the establishment in the Programme of a regional centre for South Asia, to be located in Colombo, Sri Lanka.

## **IX/6: Nairobi Declaration on the Environmentally Sound Management of Electrical and Electronic Waste**

*The Conference of the Parties,*

*Welcoming* the progress made in the management of electrical and electronic waste (e-waste) through the development of global partnerships and regional programmes of activities,

*Welcoming also* the financial support provided to date by Parties to the Basel Convention for e-waste programmes,

1. *Adopts* the workplan of the Basel Convention for the environmentally sound management of e-waste set out in the annex to the present decision, contingent on the availability of funds;
2. *Encourages* Parties and signatories to the Convention to provide voluntary contributions to the Basel Convention programmes on e-waste and to become actively involved in partnerships and regional programmes of activities established under the programme;
3. *Invites* countries in a position to do so to contribute extrabudgetary financial or in-kind resources toward the preparation of technical guidelines for the environmentally sound management of e-waste;
4. *Invites* Parties, the Basel Convention regional centres and relevant stakeholders to continue work on the development of pilot projects in support of the Nairobi Declaration on the Environmentally Sound Management of Electrical and Electronic Waste, for example on collection and take-back systems and the environmentally sound reuse, refurbishment and recycling of e-waste, in particular in developing countries and countries with economies in transition;
5. *Requests* the Secretariat to continue to facilitate work and activities on the environmentally sound management of e-waste;
6. *Further requests* the Secretariat to report on progress to the Conference of the Parties at its tenth meeting.

## Annex to decision IX/6

### Workplan on the environmentally sound management of e-waste, focusing on the needs of developing countries and countries with economies in transition<sup>4</sup>

Title	Mandate and supervision
Partnership for Action on Computing Equipment	Decision VIII/2 Nairobi Declaration Decision OEWG-VI/22
Mobile Phone Partnership Initiative activities on awareness-raising	Decision VI/31 Open-ended Working Group
Preparation of technical guidelines on transboundary movements of e-waste, in particular regarding the distinction between waste and non waste	Decision VIII/2, para 3 (a) Open-ended Working Group
Programme of activities for the environmentally sound management of e-waste in the Asia-Pacific region	Nairobi Declaration
Programme of activities for the environmentally sound management of e-waste in Africa	Decision VIII/2 Nairobi Declaration
Programme of activities for the environmentally sound management of e-waste in South America	Nairobi Declaration

<sup>4</sup> These proposed initiatives are contingent on the availability of voluntary funds and human resources from the Secretariat to facilitate the work.



## IX/7:Convention Partnership Programme workplan for 2009–2011

*The Conference of the Parties,*

*Recalling* decision VIII/5 on the Basel Convention Partnership Programme,

*Welcoming* the progress made in developing partnerships and programmes of activities on the environmentally sound management of waste,

*Welcoming also* the financial support provided to date by Parties and others to the Partnership Programme,

1. *Takes note* of progress made under the Partnership Programme;
2. *Adopts* the Partnership Programme workplan for 2009–2011 set out in the annex to the present decision;
3. *Requests* the Secretariat to facilitate the partnership activities contained in the workplan subject to the availability of financial resources;
4. *Also requests* the Secretariat:
  - (a) To continue, subject to the availability of financial resources, to implement actively the Partnership Programme as a key instrument for supporting the implementation of the Strategic Plan for the Implementation of the Basel Convention in conjunction with all relevant and interested partners;
  - (b) To provide information to the Open-ended Working Group at its seventh session on progress and on initiatives to include new projects or activities;
  - (c) To submit a progress report and a draft workplan for 2012–2013 to the Conference of the Parties at its tenth meeting;
5. *Further requests* the Basel Convention regional and coordinating centres to engage in the work of the Partnership Programme, as appropriate, and to develop thematic multi-stakeholder partnerships for their regions to help in undertaking capacity-building efforts;
6. *Urges* Parties, signatories and all stakeholders in a position to do so to provide financial and in-kind support for the work of the Partnership Programme and to contribute to the post of Senior Programme Officer of the Partnership Programme;
7. *Encourages* Parties and signatories to the Convention to become actively involved in global and regional partnerships;
8. *Calls on* Parties to facilitate broader participation by civil society, including environmental non-governmental organizations, the private sector and, in particular, industry, to provide technical and financial support for the Partnership Programme and to become involved in specific activities at the regional, national and international levels.

## Annex to decision IX/7

**Basel Convention Partnership Programme: proposed 2009–2011 workplan**

<b>Basel Convention Partnership Programme proposed workplan</b>			
<b>I. Partnerships workplan 2009–2011</b>			
	<b>Partnership</b>	<b>Global/Regional</b>	<b>Plan</b>
<b>Global partnerships</b> Indicators from the 2007–2008 workplan would be applied as appropriate (decision VIII/5, annex)			
<b>1.</b>	<b>Ad hoc follow-up group on mobile phones</b>	Global	(a) Facilitate finalization of pilot projects and outreach activities under MPPI, including training. (b) Raise awareness and actively disseminate guidelines.
<b>2.</b>	<b>Partnership for Action on Computing Equipment (PACE)</b>	Global	(a) Establish partnership body. (b) Facilitate development of detailed results-oriented work programme. (c) Assist in creating project groups. (d) Initiate work as per the workplan. (e) Report to the Open-ended Working Group on progress. (f) Secretariat to carry out functions as per terms of reference. (g) Outreach and awareness-raising.
<b>3.</b>	<b>United Nations Framework Convention on Climate Change – Clean Development Mechanism Partnership</b>	Global	Explore the potential for raising resources for the implementation of the Basel Convention and initiate a partnership with the United Nations Framework Convention on Climate Change and the Clean Development Mechanism and/or other funding organizations, including venture capitalists, technology providers, together with other entities or bodies.
<b>4.</b>	<b>Mercury Partnership</b>	Global	(a) Explore linkages to activities and mechanisms under development as part of the UNEP Global Mercury Partnership. (b) Investigate with Parties the role of the Secretariat and Parties under the Partnership. (c) Continue participating in the United Nations Environment Programme Global Mercury Partnership and carrying out capacity-building projects, as funding permits.
<b>5.</b>	<b>Partnership toolkit</b>	Global	Develop toolkit consisting of guides, lessons learned and other information to facilitate the development of multi-stakeholder partnerships.

## IX/8: Mobile Phone Partnership Initiative

*The Conference of the Parties,*

*Recalling* its decisions VI/31, VII/4 and VIII/6,

*Noting* the report on progress made by the Mobile Phone Partnership Initiative, as presented by the Chair of the Mobile Phone Working Group established by decision VI/31 of the Conference of the Parties,<sup>5</sup>

*Also noting* with appreciation the financial and in-kind contributions made towards the Mobile Phone Partnership Initiative by Parties, in particular by Switzerland, and by signatories, industry, non-governmental organizations and other stakeholders,

*Further noting* the significant efforts made by Parties, signatories, industry, non-governmental organizations and other stakeholders to prepare project guidelines and an overall guidance document on environmentally sound management of used and end-of-life mobile phones,

*Recognizing* the significant role of the Mobile Phone Partnership Initiative as a public-private partnership within the framework of the Basel Convention in reaching successful outputs on environmentally sound management of used and end-of-life mobile phones,

*Noting* the compilation of comments received concerning the paper on issues raised during the discussion of the guideline on transboundary movement of used and end-of-life mobile phones, as presented by the Secretariat,<sup>6</sup>

1. *Adopts*, without prejudice to national legislation, sections 1–3 and 5 of the guidance document on environmentally sound management of used and end-of-life mobile phones,<sup>7</sup> as a voluntary document, and takes note of the recommendations set forth therein;
2. *Invites* Parties, signatories and other interested stakeholders to submit comments on section 4<sup>8</sup> as amended<sup>9</sup> to the Secretariat;
3. *Invites* Parties and signatories to use and continue to test the guidance document and the five guidelines produced by the project groups under the Mobile Phone Partnership Initiative;
4. *Requests* the Open-ended Working Group to continue to review the guidance document further, based on Parties' experience and needs;
5. *Also requests* the Open-ended Working Group to review the issues raised during the discussion of the guideline on transboundary movement of used and end-of-life mobile phones;<sup>10</sup>
6. *Decides* that the Mobile Phone Working Group has successfully completed its mandate, as outlined in decision VI/31 and its appendix, and is hereby disbanded. Any follow-up tasks that may be required will be carried out by an ad hoc follow-up group, with the participation of interested Parties, signatories, industry, non-governmental organizations and other stakeholders;
7. *Encourages* the follow-up group to complete any outstanding tasks and revise the guidance document based on the results of evaluation studies and any additional information provided;
8. *Requests* the Basel Convention regional and coordinating centres to disseminate the guidance document and guidelines approved by the Mobile Phone Working Group and to initiate training and outreach workshops, subject to availability of funding;
9. *Invites* developing countries and countries with economies in transition to participate in the activities of the follow-up group;
10. *Encourages* Parties, signatories, industry, non-governmental organizations and other stakeholders to make financial or in-kind contributions or both:

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5 UNEP/CHW.9/INF/16.

6 UNEP/CHW.9/INF/13.

7 UNEP/CHW.8/2/Add.3\*, annex.

8 Ibid.

9 UNEP/CHW.9/11\*.

10 UNEP/CHW.8/INF/6, annex, appendix 1.

- (a) To facilitate the participation of developing countries and countries with economies in transition;
- (b) To facilitate the implementation of pilot projects on collection and treatment schemes;
- (c) To initiate and facilitate training and outreach workshops.

## IX/9: Partnership for Action on Computing Equipment

*The Conference of the Parties,*

*Recalling* its decisions VI/32, VII/3, VIII/2 and VIII/5,

*Having regard* to the Basel Declaration on Environmentally Sound Management and the Nairobi Declaration on the Environmentally Sound Management of Electrical and Electronic Waste,

*Noting* the rapid increase in the amount of electrical and electronic equipment used and purchased globally, which has led to an increasing volume of used and end-of-life electrical and electronic equipment, including computing equipment, which in many instances is not being managed in an environmentally sound manner,

*Noting also* the potential life-cycle benefits of reusing and recycling used and end-of-life electronics in an environmentally sound manner, such as reducing greenhouse-gas emissions, conserving natural resources and providing sustainable economic and social development opportunities in developing countries and countries with economies in transition,

*Noting further* the importance of the Basel Convention transboundary movement controls to the achievement of environmental protection,

*Welcoming* the work of the interim group on the Partnership for Action on Computing Equipment (hereinafter “the Partnership”),

*Acknowledging* that awareness raising and information sharing on green design and environmentally sound management of used and end-of-life computing equipment are of particular importance to Parties, including developing countries and countries with economies in transition,

*Welcoming* the voluntary financial contributions made by Chile and the United Kingdom of Great Britain and Northern Ireland to the Partnership,

1. *Agrees* with the mission, scope, working principles and activities of the Partnership, as developed by the interim group and set out in annex I to the present decision;

2. *Further agrees* that the Partnership cannot create or abrogate rights or responsibilities of Parties under the Basel Convention;

3. *Takes note* of the funding proposals for the Partnership set out in annex II to the present decision;

4. *Also takes note* of the draft terms of reference for the Partnership set out in annex IV to the report of the interim group on the Partnerships;<sup>11</sup>

5. *Agrees* to establish a working group that will operate under the guidance of the Open-ended Working Group as the operating mechanism for the Partnership and other organizational matters;

6. *Invites* Parties, signatories and all stakeholders, including manufacturers, recyclers, refurbishers, academia, non-governmental organizations and intergovernmental organizations, to indicate interest in participating in the working group on the Partnership to the Secretariat no later than 30 September 2008, having regard to the specific expertise and experience required for the activities of this group;

7. *Requests* the Partnership to develop and implement a more detailed workplan consistent with the interim group’s discussions, with particular emphasis on the needs of developing countries and countries with economies in transition, to adopt a funding method based on the proposals in annex II to

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11 UNEP/CHW.9/INF/12.

the present decision and to finalize the terms of reference, all of which should be submitted to the Open-ended Working Group at its seventh session for its consideration;

8. *Requests* the working group of the Partnership to coordinate and collaborate, as appropriate, on activities with other organizations and initiatives to establish synergies and prevent duplication;

9. *Requests* the Secretariat:

(a) To facilitate and provide expertise to the Partnership;

(b) To develop an electronic catalogue of information on initiatives and associated tools and activities under way or completed on the environmentally sound management of computing equipment, building on existing information, and provide support through an information technology officer;

(c) To collaborate with the Secretariat of the “Solving the E-Waste Problem” (StEP) Initiative hosted by the United Nations University in building synergies and fostering closer cooperation between the two, in particular through the increased impact and effectiveness of their respective programmes and the faster attainment of their complementary objectives;

10. *Encourages* the Partnership to ensure that it has a sustainable funding mechanism;

11. *Encourages* Parties, signatories and members of industry and international governmental and non-governmental organizations to participate actively in the Partnership and to make financial or in-kind contributions or both:

(a) To facilitate the participation of developing countries and countries with economies in transition;

(b) To facilitate the implementation of tools and activities.

## **Annex I to decision IX/9**

### **Partnership for Action on Computing Equipment (PACE)**

1. The following elements of the Partnership for Action on Computing Equipment (PACE) were agreed upon by the interim group on PACE.

#### **A. Mission statement**

2. To increase the environmentally sound management of used and end-of-life computing equipment, taking into account social responsibility and the concept of sustainable development, and promoting the sharing of information on life-cycle thinking.

#### **B. Scope**

3. The scope of the partnership will cover personal computers (PCs) and associated displays, printers and peripherals.<sup>12</sup>

#### **C. Working principles**

4. The group reviewed the working principles set out in document UNEP/SBC/PACE/2 and agreed to the following three working principles:

1. To promote dialogue among Governments, industries, non-governmental organizations and academia on initiatives that could be carried out in various United Nations regions;

2. To seek innovative solutions showing specific and practical results consistent with the Basel Convention and make recommendations;

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<sup>12</sup> Personal desktop computer, including the central processing unit and all other parts contained in the computer. Personal notebook and laptop computer, including the docking station, central processing unit and all other parts contained in the computer. Computer monitor, including the following types of computer monitor: (a) cathode ray tube; (b) liquid crystal display; (c) plasma. Computer keyboard, mouse and cables. Computer printer: (a) including the following types of computer printer: (i) dot matrix; (ii) inkjet; (iii) laser; (iv) thermal and (b) including any computer printer with scanning or facsimile capabilities, or both.

3. To coordinate and cooperate, as appropriate, with other bodies involved in electrical and electronic waste activities.

## **D. Activities**

5. A set of activities has been identified that would assist countries, in particular developing countries and countries with economies in transition, to manage used and end-of-life computing equipment in an environmentally sound manner:

- (a) To develop tools (such as guidelines) and activities on environmentally sound refurbishment and repair, including criteria for testing, certification and labelling;
- (b) To develop tools (such as guidelines) and activities on environmentally sound recycling and material recovery, including facility certification;
- (c) To develop and promote pilot schemes for the environmentally sound management of used and end-of-life computing equipment towards the attainment of the Millennium Development Goals;
- (d) To develop awareness-raising and training programme activities.

## **Annex II to decision IX/9**

### **Funding proposals for the Partnership for Action on Computing Equipment (PACE)**

1. With the assistance of a sub-group of members, the Interim Group on PACE has developed a model sustainable funding mechanism for the Partnership, encompassing prospective funding needs.
2. Partnership funding needs were categorized into four areas as stated below. The proposal is to have a mixture of funding proposals – including modest membership fees and voluntary and in-kind contributions.

## **A. Partnership funding requirements**

### **1. Operation of the Partnership and its activities (e.g., development of guidelines)**

3. This figure covers administrative costs, in-kind contributions, consultancy support work, translation and publication, advertising, meeting arrangements, communication, etc.
4. The estimated budget is \$50,000–\$100,000 per annum.

### **2. Country participation**

#### **(a) Developing countries**

5. This figure includes financial support for attending meetings and participating in teleconferences.
6. An estimate of \$3,500 per representative per meeting was used to calculate the cost of funding representatives from five developing countries each to attend two meetings.
7. The estimated budget is \$35,000 per annum.

#### **(b) Developing country non-governmental organizations**

8. This figure covers the estimated costs of four developing country non-governmental organizations each to attend two meetings.
9. The estimated budget is \$28,000 per annum.

### 3. Core projects under the Partnership

10. The budget for this item is to be reviewed after the first year of PACE, but is calculated to be \$100,000, mostly in the second year.

### B. Explanatory note

11. At the ninth meeting of the Conference of the Parties, Parties will be considering the provision of resources for one post on partnerships and resource mobilization within the Secretariat of the Basel Convention, under either the Basel Convention Trust Fund or the Trust Fund to Assist Developing Countries and other Countries in Need of Technical Assistance in the Implementation of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (Technical Cooperation Trust Fund). This post is therefore not covered in item 1. In the event that the post remains on voluntary contributions only, then an additional \$215,000 per annum would be needed.

12. An annual fixed contribution of \$10,000 from a minimum of five trade associations for original equipment manufacturers and the recycling industry is proposed in addition to in-kind technical support from associations and member companies. Funding and in-kind support would go to the development of the guidelines, with any remaining funds allocated to the development and implementation of projects under item 3. Developing guidelines could cost between \$30,000 and \$80,000, potentially including consultancy support. These costs are subsumed under item 1.

13. Item 3 (projects) will depend on their type, but should in any case fit in with the agreed mission and scope of the Partnership. Pilot project costs vary. A basic collection project could be as low as \$20,000, but a larger project could be \$50,000. Pilot projects in developing countries are anticipated in the second year to test guidelines developed in the first year under item 3. The conceptual development of projects should begin at the start of the Partnership to help direct guideline preparation and prepare for second year activities, participants and locations. The estimate of \$100,000 is based on two projects. Additional projects can be put forward. Possible support for these additional projects could come from: first, industry (e.g., original equipment manufacturer and recycling trade associations, companies); second, Governments; third, non-governmental organizations; fourth, international organizations (e.g., UNESCO, StEP); and, fifth, international financial institutions (e.g., World Bank), or a combination of these.

14. The total estimated budget is as follows:

First year: \$163,000–\$213,000  
Second year: \$213,000–\$263,000

### C. Mechanism for PACE contributions

15. In order that PACE can begin and operate on a reliable basis, it is essential to have predictable funding. All partners involved in PACE should be prepared to provide funds to enable a successful start to the Partnership. The knowledge that funding is expected should make it easier for organizations to secure the necessary internal agreements for those allocations to be made.

16. The total for funding requirements under items 1, 2 (a) and 2 (b) (operating costs, developing country and non-governmental organization participation) would be between \$113,000 and \$163,000. It is suggested that the funding for these items could be provided by Parties and signatories through voluntary contributions.

17. Industry, industry associations and green non-governmental organization could provide funds through a membership fee that would be based on sliding scales of assessment. The membership fees could be set for the first year at a moderate level and could then be again discussed once the specific work programme was defined. Industry members would be expected to provide an annual membership fee to support project work under item 1. Non-governmental organization observers (including non-governmental organizations from developing countries) could participate at no charge.

18. Parties, signatories, industry and all non-governmental organizations could provide funding for projects. Funding participation for projects should be discussed at a very early stage of their development. Since Parties and signatories would be the major contributors for the operating costs of PACE, it should be the industry's challenge to be the main contributor of funds for projects.

19. Any additional projects agreed by the Partnership to be identified under the PACE umbrella ought to fit in with the agreed mission and scope of the Partnership. Parties and signatories could make voluntary contributions to the Technical Cooperation Trust Fund, target them towards specific projects and agree to them being identified as contributions to PACE; industry could make financial arrangements with specific developing countries on a bilateral basis and identify such projects as being contributions to the PACE. Projects could be funded through collaboration or partnership with international organizations such as the United Nations Education, Scientific and Cultural Organization, the World Bank or StEP.

## **IX/10: Cooperation and coordination among the Basel, Rotterdam and Stockholm conventions**

*The Conference of the Parties,*

*Recalling* decision SC-2/15 adopted by the Conference of the Parties of the Stockholm Convention on Persistent Organic Pollutants at its second meeting, decision RC-3/8 adopted by the Conference of the Parties to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade at its third meeting and decision VIII/8 adopted by the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal at its eighth meeting, by which the conferences of the Parties established the ad hoc joint working group on enhancing cooperation and coordination among the Basel, Rotterdam and Stockholm conventions and mandated it to prepare joint recommendations on enhancing cooperation and coordination among the three conventions at the administrative and programmatic levels,

*Mindful* of the legal autonomy of each of the three conventions,

*Recognizing* the broad scope of the Basel Convention,

*Welcoming* the ongoing commitment of all Parties to ensuring the implementation of the full breadth of the Basel Convention,

*Looking forward* to the follow-up on the development of managerial issues arising through closer cooperation between the three conventions,

*Noting* decision SS.VII/1 of the Governing Council of the United Nations Environment Programme on international environmental governance, the Informal Consultative Process on the Institutional Framework for the United Nations' Environmental Activities and the 2005 World Summit Outcome calling for reduced fragmentation on environmental issues,

*Recognizing* that the overarching goal of the three conventions is the protection of human health and the environment for the promotion of sustainable development and that the objective of enhanced coordination and cooperation among the three conventions is to contribute to the achievement of that goal,

*Convinced* that actions taken to enhance coordination and cooperation should be aimed at strengthening implementation of the three conventions at the national, regional and global levels, promoting coherent policy guidance, enhancing efficiency in the provision of support to Parties with a view to reducing their administrative burden and maximizing the effective and efficient use of resources at all levels,

*Noting* that processes for enhancing cooperation and coordination are driven by Parties, should take into account global concerns and should respond to the specific needs of developing countries and countries with economies in transition,

*Believing* that institutional structures should be defined by functions that are identified before such structures are established,



*Welcoming* the recommendation of the ad hoc joint working group on enhancing cooperation and coordination among the Basel, Rotterdam and Stockholm conventions,

1. *Invites* the Conference of the Parties to the Rotterdam Convention at its fourth meeting and the Conference of the Parties to the Stockholm Convention at its fourth meeting to adopt the recommendation of the ad hoc joint working group on enhancing coordination and cooperation among the Basel, Rotterdam and Stockholm conventions;

2. *Adopts* the recommendation of the ad hoc joint working group and, subject to the recommendation being adopted by the conferences of the Parties to the Rotterdam and Stockholm conventions, thereby:

## **I. Organizational issues in the field**

### **A. Coordination at the national level**

1. *Invites* Parties to establish or strengthen, as necessary, national processes or mechanisms for coordinating:

(a) Activities to implement the Basel, Rotterdam and Stockholm conventions, in particular, activities of the focal points and designated national authorities for the three conventions, the Strategic Approach to International Chemicals Management and other relevant policy frameworks, as appropriate;

(b) Preparation for convention meetings;

2. *Invites* Parties to provide, through the joint information service referred to in section II, paragraph 4, below, models of such coordination mechanisms, as well as examples of good coordination practices from countries;

3. *Recommends* that Parties, when implementing the three conventions, including through capacity-building and technical assistance, ensure close cooperation and coordination among relevant sectors, ministries or programmes at the national level with respect to, among other things, the following:

(a) Protection of human health and the environment from the harmful impacts or adverse effects of hazardous chemicals and wastes;

(b) Prevention of accidents and emergency response in case of accidents;

(c) Combating illegal traffic and trade in hazardous chemicals and wastes;

(d) Information generation and access;

(e) Technology transfer and transfer of know-how;

(f) Preparation of national positions for meetings of the conferences of the Parties and other bodies of the Basel, Rotterdam and Stockholm conventions;

(g) Development cooperation;

4. *Requests* the secretariats of the Basel, Rotterdam and Stockholm conventions, in cooperation with relevant intergovernmental bodies such as the member organizations of the Intergovernmental Organization for the Sound Management of Chemicals and regional centres, to collaborate on the dissemination of good practices and, if necessary, the elaboration of guidance and training in the areas referred to in the preceding paragraph;

5. *Invites* United Nations Environment Programme-United Nations Industrial Development Organization cleaner production centres to contribute to the national implementation of the three conventions;

### **B. Programmatic cooperation in the field**

6. *Invites* Parties to promote cooperative activities at the national and regional levels as far as possible;

7. *Invites* the United Nations Environment Programme and the Food and Agriculture Organization of the United Nations, working together with other bodies of the United Nations, in particular the United Nations Development Programme, multilateral environmental agreements, and

other international bodies, to develop programmatic cooperation in the field that would support implementation of the three conventions in areas of common concern such as sustainable development, trade, customs (for example through the Green Customs Initiative), transport, public health, labour, environment, agriculture and industry;

8. *Invites* the United Nations Environment Programme, the United Nations Development Programme and the Food and Agriculture Organization to include such cooperation in their biennial work programmes;

9. *Recommends* that Parties incorporate in their national development plans and strategies measures to implement the Basel, Rotterdam and Stockholm conventions in order to ensure coherence in their national priority setting and to facilitate the provision of aid by donors in accordance with the Paris Declaration on Aid Effectiveness and in response to country and regional demand;

10. *Requests* the secretariats of the three conventions, in the context of the Bali Strategic Plan for Technology Support and Capacity-building, and taking into account the Strategic Approach to International Chemicals Management, to initiate joint collaboration to promote the effective implementation of the decisions of the conferences of the Parties to the Basel, Rotterdam and Stockholm conventions and their work programmes in the area of technology transfer and capacity-building;

11. *Encourages* Parties to strengthen capacity-building and technical support to developing countries and countries with economies in transition for coordinated national implementation;

12. *Encourages* Parties to promote coordination between bilateral and multilateral donors to ensure consistent and non-duplicative assistance to Parties in their implementation of the Basel, Rotterdam and Stockholm conventions;

13. *Requests* the secretariats of the Basel, Rotterdam and Stockholm conventions to promote programmatic cooperation on cross-cutting issues, including in the area of technology transfer and capacity-building, in the development of their respective work programmes and to report thereon to the conferences of the Parties to the three conventions;

### **C. Coordinated use of regional offices and centres**

14. *Acknowledges* the role of the regional centres of the Basel and Stockholm conventions in supporting Parties;

15. *Invites* Parties and other stakeholders to promote the full and coordinated use of regional centres to strengthen the regional delivery of technical assistance under all three conventions and to promote coherent chemicals and waste management, bearing in mind the existing and ongoing work of other multilateral environmental agreements and institutions. This work should promote the sound management of chemicals throughout their life cycles and of hazardous wastes for sustainable development as well as for the protection of human health and the environment;

16. *Recommends* that a limited number of regional focal centres, with the responsibility to facilitate coordinated activities in the regions covering both chemicals and waste management, be selected from among the existing regional centres of the Basel and Stockholm conventions. These focal centres will be designated following regional agreement and in accordance with the relevant procedural provisions of the respective conventions. These focal centres should:

(a) Ensure that the regional centres deliver their work in accordance with defined priorities and serve as an entry point for countries needing assistance or guidance on which centre in a region could provide assistance for a specific purpose;

(b) Strengthen regional centres to enable them to exercise a more synergistic approach as delivery mechanisms under the Basel, Rotterdam and Stockholm conventions;

(c) Play a special role in providing an overview of their activities and results to the conferences of the Parties of the Basel, Rotterdam and Stockholm conventions as examples of lessons learned on enhanced practical implementation of the conventions;

17. *Requests* the secretariats of the Basel, Rotterdam and Stockholm conventions to initiate pilot projects on the coordinated use of regional centres, such projects to be undertaken by the regional centres and build on lessons learned;

18. *Requests* the secretariats of the Basel, Rotterdam and Stockholm conventions and the regional centres to exchange information about their capacities and work programmes;

19. *Invites* the Global Environment Facility, within its mandate, other relevant international financial institutions and instruments, the regional centre host countries and others from the donor community to provide financial support necessary for the regional centres to carry out projects aimed at cooperation and coordination in support of implementation of the three conventions;

## **II. Technical issues**

### **A. National reporting**

1. *Requests* the secretariats of the Basel and Stockholm conventions to prepare, for consideration by their respective conferences of the Parties, proposals:

(a) To synchronize the submission of Party reports under the two conventions in those years when the Parties to both conventions are to submit such reports;

(b) To develop joint capacity-building activities to assist Parties in coordinated data and information collection and management at the national level, including quality control, to enable them to fulfil their reporting obligations;

(c) To streamline their respective reporting formats and processes with a view to alleviating the burden of reporting, taking into account relevant activities by other bodies, including the United Nations Environment Programme;

### **B. Compliance/Non-compliance mechanisms**

2. *Requests* the secretariats of the Basel, Rotterdam and Stockholm conventions, once compliance/non-compliance mechanisms are established under all three conventions, to prepare proposals for consideration by the conferences of the Parties to the three conventions exploring the possibilities for enhancing coordination among the agreed mechanisms to facilitate compliance by, for example, provision of joint secretariat support for the committees, the attendance of the chairs of the three committees at each others' meetings or encouraging the appointment of members to the committees who have experience with other compliance mechanisms;

3. *Requests* the secretariats of the Basel, Rotterdam and Stockholm conventions to exchange information on progress made on the operation or establishment of the compliance/non-compliance mechanisms established or under negotiation under the three conventions;

### **C. Cooperation on technical and scientific issues**

4. *Requests* the secretariats of the Basel, Rotterdam and Stockholm conventions to facilitate the exchange of relevant information between the technical and scientific bodies of the three conventions through the sharing of information with one another, with the secretariat of the Strategic Approach to International Chemicals Management and with other relevant intergovernmental bodies concerning the procedures developed and the chemicals being discussed under the three conventions;

5. *Requests* the secretariats of the Basel, Rotterdam and Stockholm conventions to maintain or establish cooperation on technical issues that relate to more than one of the three conventions, involving other bodies and institutions beyond the three conventions as appropriate;

## **III. Information management and public awareness issues**

### **A. Joint outreach and public awareness**

1. *Requests* the secretariats of the Basel, Rotterdam and Stockholm conventions to develop a common approach to awareness-raising and outreach activities among the three conventions;

2. *Also requests* the secretariats of the Basel, Rotterdam and Stockholm conventions to make full use of and build on existing information and outreach mechanisms and tools;

### **B. Information exchange/clearing-house mechanism on health and environmental impacts**

3. *Invites* Parties to consider establishing common websites and documentation centres at the national and, where appropriate, regional levels, containing available information on human health and environmental impacts relevant to the three conventions;

4. *Requests* the secretariats of the Basel, Rotterdam and Stockholm conventions to develop systems of information exchange on health and environmental impacts, including a clearing-house mechanism, with the aim of these systems serving all three conventions;

### **C. Joint input into other processes**

5. *Requests* the secretariats of the Basel, Rotterdam and Stockholm conventions, whenever feasible, to act jointly in participating in other related processes and in providing information to other related bodies, organizations, institutions and processes;

## **IV. Administrative issues**

1. *Recommends* that possible cost savings gained through these more efficient administrative arrangements be used to support implementation of the three conventions;

### **A. Joint managerial functions**

2. *Invites* the Executive Director of the United Nations Environment Programme, in consultation with the Director-General of the Food and Agriculture Organization, to establish joint management involving the executive secretaries of the Basel, Rotterdam and Stockholm conventions for joint services and joint activities through, for example, a system of rotating management or the assignment of individual joint services to a particular convention;

3. *Invites* the Executive Director of the United Nations Environment Programme, in consultation with the Director-General of the Food and Agriculture Organization, to explore and assess the feasibility and cost implications of establishing joint coordination or a joint head of the secretariats of the Basel, Rotterdam and Stockholm conventions for consideration at the extraordinary meetings of the conferences of the Parties referred to in section V, paragraph 3, below;

### **B. Resource mobilization**

4. *Invites* the Executive Director of the United Nations Environment Programme, in consultation with the Director-General of the Food and Agriculture Organization, in providing the secretariat functions of the Basel, Rotterdam and Stockholm conventions, to establish, on an interim basis, through the executive secretaries of the three conventions, a joint resource mobilization service within the secretariats in Geneva. The service should support the implementation of the three conventions beyond that achievable through separate action by:

- (a) Strengthening mobilization of resources through the development of a joint resource mobilization strategy for the short, medium and long term;
- (b) Avoiding competitive and uncoordinated resource demands to donors;
- (c) Prioritizing coordinated efforts to explore new, innovative and adequate sources of funding, including for national implementation;
- (d) Promoting resource mobilization for a life-cycle approach to chemicals and waste management;
- (e) Mobilizing financial resources and technical assistance for programmes delivered through regional centres;
- (f) Developing joint strategy options on what countries can do at the national level to generate funds and better to gain access to international and bilateral financing;
- (g) Facilitating the exchange of experiences in mobilizing resources for national implementation;
- (h) Building on available methodologies, guidance and case studies that have been developed by other institutions;

5. *Decides* that the final decision regarding the above-named joint service shall be taken at the extraordinary meetings of the conferences of the Parties;

6. *Encourages* representatives of Parties to support the delivery of coherent and coordinated messages from the conferences of the Parties of each convention to the Global Environment Facility and other relevant international financial institutions/instruments on funding for the sound management of chemicals and wastes for the implementation of the conventions;

## C. Financial management and audit functions

7. *Invites* the Executive Director of the United Nations Environment Programme, in consultation with the Director-General of the Food and Agriculture Organization, in providing the secretariat functions of the Basel, Rotterdam and Stockholm conventions, to establish, on an interim basis, through the executive secretaries of the three conventions, a joint financial and administrative support service, within the secretariats in Geneva, taking into account relevant support services provided by the United Nations Environment Programme and the Food and Agriculture Organization;

8. *Requests* the Executive Director of the United Nations Environment Programme, in consultation with the Director-General of the Food and Agriculture Organization, in providing the secretariat functions of the Basel, Rotterdam and Stockholm conventions, to prepare a proposal for joint audits of the accounts of the secretariats of the three conventions;

## D. Joint services

9. *Welcomes* the support provided by both the United Nations Environment Programme and the Food and Agriculture Organization to the work of the secretariats of the Basel, Rotterdam and Stockholm conventions and encourages the continuation of such support;

10. *Invites* the Executive Director of the United Nations Environment Programme, in consultation with the Director-General of the Food and Agriculture Organization, in providing the secretariat functions of the Basel, Rotterdam and Stockholm conventions, in addition to the joint resource mobilization service and the joint financial and administrative support service referred to in section IV, paragraphs 4 and 7, above, respectively, to establish through the executive secretaries of the three conventions, within the secretariats in Geneva and with the aim of improving the level and efficiency of delivery of services, on an interim basis:

- (a) A joint legal service;
- (b) A joint information technology service;
- (c) A joint information service;

11. *Decides* that a final decision regarding the joint services referred to in the preceding paragraph shall be taken at the extraordinary meetings of the conferences of the Parties to the Basel, Rotterdam and Stockholm conventions referred to in section V, paragraph 3, below;

12. *Invites* the Executive Director of the United Nations Environment Programme, in consultation with the Director-General of the Food and Agriculture Organization, to provide further information on the costs and organizational implications of establishing the joint services identified in section IV, paragraph 10, above, to be presented prior to the extraordinary meetings of the conferences of the Parties to the Basel, Rotterdam and Stockholm conventions referred to in section V, paragraph 3, below;

## V. Decision-making

### A. Coordinated meetings

1. *Decides* that the meetings of the conferences of the Parties to the Basel, Rotterdam and Stockholm conventions should be held in a coordinated manner and requests the executive secretaries of the three conventions to schedule such meetings in a way that facilitates such coordination;

2. *Requests* the executive secretaries to schedule joint meetings of the bureaux of the conferences of the Parties to the Basel, Rotterdam and Stockholm conventions, as appropriate;

### B. Extraordinary meetings of the conferences of the Parties

3. *Decides* to convene simultaneous extraordinary meetings of the conferences of the Parties to the Basel, Rotterdam and Stockholm conventions, requests the Executive Director of the United Nations Environment Programme, in consultation with the Director-General of the Food and Agriculture Organization, to organize the meetings in coordination with the eleventh special session of the Governing Council/Global Ministerial Environment Forum of the United Nations Environment Programme. At these simultaneous meetings, which are aimed at giving high-level political support to the process of enhancing cooperation and coordination among the three conventions, the conferences of the Parties would consider:

- (a) Decisions on joint activities;

- (b) Decisions on joint managerial functions;
- (c) Final decisions on joint services established on an interim basis;
- (d) Decisions on synchronization of the budget cycles of the three conventions;
- (e) Decisions on joint audits of the accounts of the secretariats of the three conventions;
- (f) Decisions on a review mechanism and follow up of the work on enhancing coordination and cooperation processes between the three conventions;
- (g) Reports or information received from the Executive Director of the United Nations Environment Programme and the secretariats of the three conventions on any other activity or proposed joint institution resulting from the present decision;

4. *Requests* the executive secretaries of the Basel, Rotterdam and Stockholm conventions, in consultation with the Executive Director of the United Nations Environment Programme and the Director-General of the Food and Agriculture Organization, to prepare proposals for the extraordinary meetings referred to in the preceding paragraph on:

- (a) A common arrangement for staffing and financing joint services of the three conventions, including financing shared posts;
- (b) Synchronizing the budget cycles of the three conventions as soon as possible to facilitate coordinated activities and joint services, bearing in mind the implications for the timing of future meetings of the conferences of the Parties of the three conventions and for facilitating auditing;

5. *Invites* Parties and others in a position to do so to provide financing to support the extraordinary meetings of the conferences of the Parties to the Basel, Rotterdam and Stockholm conventions referred to section V, paragraph 3, above;

6. *Requests* the executive secretaries of the Basel, Rotterdam and Stockholm conventions to prepare proposals for financing the extraordinary meetings of the conferences of the Parties referred to in section V, paragraph 3, above with a view to decisions being taken by the Conference of the Parties of the Basel Convention at its ninth meeting, by the Conference of the Parties to the Rotterdam Convention at its fourth meeting and by the Conference of the Parties to the Stockholm Convention at its fourth meeting;

### C. Review arrangement

7. *Decides* that a mechanism and timetable for reviewing the arrangements adopted pursuant to the present decision shall be determined by the conferences of the Parties to the Basel, Rotterdam and Stockholm conventions at the extraordinary meetings of the conferences of the Parties referred to in section V, paragraph 3, above;

8. *Requests* Parties and secretariats and other bodies, as appropriate and within available resources, to take such actions as are necessary to implement the present decision.

## IX/11: International cooperation and coordination

### *The Conference of the Parties*

1. *Requests* the Secretariat to strengthen further cooperation and coordination with other international and regional organizations and multilateral environmental agreements in areas of relevance to the Basel Convention, including in the areas and with the organizations listed in the annex to document UNEP/CHW.9/15;

2. *Also requests* the Secretariat to continue efforts to seek observer status in the Committee on Trade and Environment of the World Trade Organization and to advise the Parties to the Basel Convention when its request is granted by the World Trade Organization;

3. *Further requests* the Secretariat to report on the implementation of the present decision to the Conference of the Parties at its tenth meeting;

4. *Requests* Parties to coordinate at the national and regional levels with a view to supporting the Secretariat's efforts to enhance international cooperation.

## IX/12: Cooperation between the Basel Convention and the International Maritime Organization

*The Conference of the Parties,*

*Recalling* its decision VIII/9 which, among other things, invited information and views on the respective competencies of the Basel Convention and the International Convention for the Prevention of Pollution from Ships 1973, as modified by the Protocol of 1978 related thereto (MARPOL 73/78),

1. *Reiterates* its invitation to Parties to the Basel Convention and others to continue to provide information and views to the Secretariat on:
  - (a) The respective competencies of the Basel Convention and MARPOL 73/78 in respect of hazardous wastes and other wastes and harmful substances;
  - (b) Any gaps between those instruments;
  - (c) Any options for addressing those gaps, if any; and
  - (d) Any other relevant information;
2. *Requests* the Secretariat to compile any information received in response to paragraph 1 of the present decision for consideration by the Open-ended Working Group at its next session and to place such information on the website of the Basel Convention as it is received;
3. *Requests* the Open-ended Working Group to consider the information provided in response to paragraph 1 of the present decision, to develop specific recommendations on options that might exist for addressing any gaps between the Basel Convention and MARPOL 73/78 in respect of hazardous and other wastes and to transmit such recommendations to the Conference of the Parties for its consideration at its tenth meeting;
4. *Requests* the Secretariat to keep the International Maritime Organization informed, as appropriate, of any developments on the subject of the present decision arising in the context of the Basel Convention;
5. *Encourages* the Secretariat of the Basel Convention to continue to strengthen its cooperation with the Secretariat of the International Maritime Organization in relation to MARPOL 73/78 and other relevant International Maritime Organization instruments and activities;
6. *Encourages* Parties to organize internal coordination between their International Maritime Organization and Basel Convention representatives and to participate actively in any consideration of industrial production processes on board ships at sea or any consideration of the respective competencies of the Basel Convention and MARPOL 73/78;
7. *Requests* the Secretariat to monitor any consideration by the Marine Environment Protection Committee of the International Maritime Organization on industrial production processes on board ships at sea, or any consideration of the respective competencies of the Basel Convention and MARPOL 73/78, and to report thereon to the Open-ended Working Group at its next session and the Conference of the Parties at its tenth meeting.

## IX/13: National reporting

*The Conference of the Parties,*

*Recalling* its decision VIII/14,

1. *Urges* Parties that have not yet done so to transmit to the Secretariat their completed questionnaires on transmission of information for the year 2006 and for previous years, as soon as possible and if possible in electronic form, using the revised questionnaire adopted by the Conference of the Parties at its sixth meeting and bearing in mind that, in accordance with the provisions of paragraph 3 of article 13 of the Convention, Parties must transmit before the end of each calendar year a report on the previous calendar year;

2. *Requests* that such information be provided by Parties to the Secretariat for the calendar year 2007 before the end of calendar year 2008, if possible in electronic form;
3. *Invites* Parties to fill in any data gaps that may exist in their previously reported datasets on generation and transboundary movement of hazardous wastes and other wastes for the years 1999 and later;
4. *Encourages* Parties to continue to report on their implementation of decision II/12 in their reports submitted pursuant to article 13 of the Convention;
5. *Requests* the Secretariat to assist Parties in improving the comparability of their data on the transboundary movements of hazardous wastes and other wastes;
6. *Also requests* the Secretariat to prepare and publish:
  - (a) For each of the years 2006 and 2007, an annual compilation document based on the information contained in part I of the completed questionnaires on transmission of information submitted by Parties;
  - (b) For the triennium 2007–2009 and for each triennium thereafter, a summary, including graphic representations, of the data on transboundary movements of hazardous wastes and other wastes contained in part II of the completed questionnaires on transmission of information submitted by Parties;
  - (c) For the triennium 2007–2009 and for each triennium thereafter, a country fact sheet for each Party submitting completed questionnaires on transmission of information, based on the information contained in such questionnaires;
7. *Further requests* the Secretariat, within available resources, to translate into English any information submitted by Parties in part I of their questionnaires, on transmission of information, in any official language of the United Nations other than English prior to incorporating such information into the reporting database;
8. *Requests* the Secretariat to prepare a further consolidated report on the implementation of decision II/12 and to report thereon to the Conference of the Parties at its tenth meeting;
9. *Also requests* the Secretariat to continue to provide training to developing countries and other countries that are in need of assistance to meet their reporting obligations by organizing workshops through the Basel Convention regional centres or by other appropriate means, subject to the availability of resources.

## **IX/14: Environmentally sound management of used tyres<sup>13</sup>**

*The Conference of the Parties,*

*Recalling* its decision VIII/17,

*Noting* with appreciation the role played by the small intersessional working group on used tyres, especially Brazil as lead country, in the preparation of the revised technical guidelines on the environmentally sound management of used tyres,

1. *Takes note* of the revised technical guidelines on the environmentally sound management of used tyres;<sup>14</sup>
2. *Extends* the mandate of the small intersessional working group on used tyres established by decision OEWG VI/3, which will work in particular by electronic means;

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13 The European Community and its 27 member States propose that the title and content of the guidelines should read: “Guidelines on the environmentally sound management of waste pneumatic tyres” in accordance with entry B 3140 in Annex IX to the Basel Convention. The final title will be agreed by the small intersessional working group on used tyres and proposed for consideration at the seventh session of the Open-ended Working Group and adoption at the tenth meeting of the Conference of the Parties.

14 UNEP/CHW.9/18.



3. *Invites* countries and others to participate in the work of the small intersessional working group;
4. *Requests* Brazil to provide by 31 July 2008 a format for comments to be agreed upon by the members of the small intersessional working group;
5. *Also requests* Brazil, in consultation with the small intersessional working group, to prepare a revised version of the technical guidelines by 30 November 2008, taking into account the table of contents set out in the annex to the present decision and the comments received to date, for publication on the Basel Convention website;
6. *Invites* comments on the revised technical guidelines by 31 March 2009, for publication on the Basel Convention website;
7. *Requests* Brazil to prepare a revised version of the guidelines based on the comments submitted pursuant to paragraph 6, above, three months before the seventh session of the Open-ended Working Group, to be presented at that session for consideration;
8. *Requests* the Secretariat to report to the Conference of the Parties at its tenth meeting on progress in the development of the technical guidelines on the environmentally sound management of used tyres for its consideration and possible adoption.

## Annex to decision IX/14

### Guidelines on the environmentally sound management of used tyres

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## IX/15: Technical guidelines on the environmentally sound management of mercury wastes

*The Conference of the Parties,*

*Recognizing* the important contribution of technical guidelines on the environmentally sound management of mercury wastes to the work on mercury being conducted under the auspices of the United Nations Environment Programme,

*Welcoming* the contributions by the Chemicals Branch of the Division of Technology, Industry and Economics of the United Nations Environment Programme, Norway and the United States of America to capacity-building pilot projects in which the draft technical guidelines on the environmentally sound management of mercury wastes will be tested,

1. *Takes note* of the draft technical guidelines on the environmentally sound management of mercury wastes;<sup>15</sup>
2. *Agrees* that the further development of the technical guidelines should be included in the work programme of the Open-ended Working Group for 2009–2011;
3. *Invites* Parties and others to submit further comments on the draft technical guidelines to the Secretariat by 30 November 2008;
4. *Also invites* Parties to consider serving as lead country for developing the technical guidelines;
5. *Agrees* to establish a small intersessional working group, to be led by the lead country, if one is identified, or to be coordinated by the Secretariat, on the development of the technical guidelines, which shall work in particular by electronic means;
6. *Invites* countries and others to participate in the work of the small intersessional working group on the development of the technical guidelines and to inform the Secretariat of their participation by 30 October 2008;
7. *Requests* the lead country, if one is identified, or the Secretariat, subject to the availability of voluntary funding, in consultation with the small intersessional working group, to prepare a revised version of the technical guidelines, taking into account the comments received, by 30 April 2009 for publication on the Basel Convention website;

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15 UNEP/CHW.9/INF/24.

8. *Invites* Parties and others to submit comments on the revised draft technical guidelines to the Secretariat by 30 September 2009;

9. *Requests* the lead country, if one is identified, or the Secretariat, subject to the availability of voluntary funding, in consultation with the small intersessional working group, to prepare a revised version of the technical guidelines, taking into account the comments received, by 31 January 2010, for publication on the Basel Convention website and for consideration at the seventh meeting of the Open-ended Working Group;

10. *Invites* Parties and others to submit comments on the revised draft technical guidelines to the Secretariat by 30 April 2010;

11. *Also invites* Parties and others to contribute financially and in kind towards the further development of the technical guidelines;

12. *Requests* the Secretariat to report to the Conference of the Parties at its next meeting on progress in developing the draft technical guidelines on the environmentally sound management of mercury wastes.

## IX/16: Persistent organic pollutants

*The Conference of the Parties,*

*Recalling* its decision VIII/16, by which it adopted several guidelines on the environmentally sound management of persistent organic pollutants,<sup>16</sup>

1. *Invites* Parties and others to submit, not later than two months before the tenth meeting of the Conference of the Parties, reports to the Conference of the Parties, through the Secretariat, on their experience in applying the technical guidelines on environmentally sound management of persistent organic pollutants, including on the definition of low persistent organic pollutant content and on levels of destruction and irreversible transformation and any difficulties or obstacles encountered, with a view to improving them as necessary;

2. *Agrees* that the following should be included in the work programme of the Open-ended Working Group for 2009–2011:

(a) Consideration of further guidance on other disposal methods when persistent organic pollutant content is less than low persistent organic pollutant content in areas where there may be a high risk for human health and the environment through, among other means, the food chain and the soil;

(b) Review and updating of the technical guidelines on persistent organic pollutants, including the definitions of low persistent organic pollutant content and of levels of destruction and irreversible transformation, if appropriate;

(c) Consideration of the amendment to entry A4110 in Annex VIII to the Basel Convention relating to polychlorinated dibenzo-furan and polychlorinated dibenzo-dioxin and other relevant entries relating to pesticide persistent organic pollutants and DDT in order to include a concentration level for those persistent organic pollutants;

3. *Invites* Parties and others to submit comments to the Secretariat by 15 December 2008 on the issues referred to in paragraphs 2 (a) and 2 (c) above;

4. *Welcomes* decision SC-3/7 of the Conference of the Parties to the Stockholm Convention on Persistent Organic Pollutants on measures to reduce or eliminate releases of persistent organic pollutants from wastes;

5. *Welcomes* the transmission of annex II to the report of the Expert Group on Best Available Techniques and Best Environmental Practices of the Stockholm Convention on the work of its second meeting to the appropriate bodies of the Basel Convention in response to decision VII/13;<sup>17</sup>

<sup>16</sup> UNEP/CHW.8/5/Add.1\*, UNEP/CHW.8/5/Add.2\*, UNEP/CHW.8/5/Add.3\*, UNEP/CHW.8/5/Add.4\*, UNEP/CHW.8/5/Add.4/Corr.1 and UNEP/CHW.8/5/Add.5.

<sup>17</sup> UNEP/CHW/OEWG/6/INF/26.

6. *Welcomes* the invitation extended by the Conference of the Parties to the Stockholm Convention, in its decision SC-3/5, to the appropriate bodies of the Basel Convention to consider the waste-related contents of the revised Stockholm Convention guidelines on best available techniques and provisional guidance on best environmental practices;<sup>18</sup>

7. *Invites* the appropriate bodies of the Stockholm Convention, at the time that a further revision of the revised guidelines on best available techniques and provisional guidance on best environmental practices is prepared:

- (a) To involve experts of the Basel Convention in work related to waste-related matters;
- (b) To encourage improved national coordination on such waste-related matters;
- (c) To take into account, in relation to waste-related matters, the technical guidelines on persistent organic pollutants adopted by the Conference of the Parties to the Basel Convention at its eighth meeting;<sup>19</sup>
- (d) To encourage experts of the Basel Convention to contribute to waste-related guidance produced by the Stockholm Convention;

8. *Decides* to extend the mandate of the small intersessional working group established pursuant to paragraph 9 of decision OEWG-I/4 to continue to monitor and assist in the review and updating, as appropriate, of the technical guidelines on persistent organic pollutants, working in particular by electronic means;

9. *Requests* the small intersessional working group to consider the comments referred to in paragraph 3 above and to report on the results of its work, through the Secretariat, to the Open-ended Working Group and to the Conference of the Parties at its tenth meeting for its consideration.

### **IX/17: Review of other selected technical guidelines pursuant to decision VIII/17, e.g., on incineration on land (D10), specially engineered landfill (D5) and wastes collected from households (Y46)**

*The Conference of the Parties,*

*Recalling* decision VIII/17 of the Conference of the Parties on technical guidelines on environmentally sound management,

1. *Invites* countries in a position to do so to take the lead in the review and updating of technical guidelines or to contribute financially to the process;
2. *Reiterates* the invitation in decision VIII/17 to countries and other stakeholders to provide comments regarding the review and updating of technical guidelines and on their experiences implementing the existing technical guidelines on the environmentally sound management of hazardous wastes by 31 December 2008;
3. *Requests* the Secretariat to prepare a compilation of comments received pursuant to the preceding paragraph and to transmit that compilation to the Conference of the Parties at its tenth meeting for its consideration.

### **IX/18: Review of work on the guidance papers on H10 and H11 pursuant to decision VIII/21**

*The Conference of the Parties,*

*Welcoming* the work of the United States of America on hazard characteristic H11,

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18 UNEP/POPS/COP.3/INF/4

19 UNEP/CHW.8/5/Add.1\*, UNEP/CHW.8/5/Add.2\*, UNEP/CHW.8/5/Add.3\*, UNEP/CHW.8/5/Add.4\*, UNEP/CHW.8/5/Add.4/Corr.1 and UNEP/CHW.8/5/Add.5.

1. *Invites* Parties in a position to do so to take the lead in the finalization of work on the guidance papers on H10 and H11 or to contribute financially to the process;
2. *Also invites* Parties and other stakeholders, by 31 January 2009, to provide comments to the Secretariat on the guidance paper on H11 and, in particular, the proposal by the United States of America for a framework for developing de minimis values for hazard characteristic H11;<sup>20</sup>
3. *Requests* the Secretariat to prepare a compilation of comments received pursuant to the invitation in paragraph 2 above and to transmit that compilation to the Open-ended Working Group at its seventh meeting for its consideration;
4. *Also requests* the Secretariat to prepare a revised version of the guidance paper on H11 and to transmit it to the Conference of the Parties at its tenth meeting for its consideration.

## **IX/19: Review of cooperation with the World Customs Organization and its Harmonized System Committee pursuant to decision VIII/20**

*The Conference of the Parties,*

*Taking note* of the progress of work on separate identification in the Harmonized System of certain wastes in Annexes VIII and IX to the Basel Convention,

1. *Requests* the Secretariat to pursue its cooperation with the World Customs Organization secretariat, the Harmonized System Committee, the Harmonized System Review Subcommittee and the Scientific Subcommittee of the World Customs Organization;
2. *Also requests* the Secretariat to continue to move forward, under the guidance of the Open-ended Working Group, with the issue of the identification of the wastes covered by the Basel Convention in the World Customs Organization Harmonized Commodity Description and Coding System and to report regularly to the Open-ended Working Group and the Conference of the Parties on progress.
3. *Further requests* the Secretariat to compile an analysis of the work it has undertaken on this subject and prepare a report for submission to the Open-ended Working Group at its seventh session for its consideration.

## **IX/20: Harmonization and coordination**

*The Conference of the Parties*

1. *Invites* the Joint Correspondence Group established pursuant to decision OEWG-IV/13 to fulfil its mandate as soon as possible;
2. *Invites*, as a first step to fulfilling its mandate, the nomination by interested Parties and the United Nations Subcommittee of Experts on the Globally Harmonized System of Classification and Labelling of Chemicals of individuals to assume the chair of the Joint Correspondence Group by 30 November 2008;
3. *Requests* the Secretariat to report on the outcome of the work of the Joint Correspondence Group to the Conference of the Parties at its tenth meeting.

## **IX/21: National classification and control procedures for the import of wastes contained in Annex IX**

*The Conference of the Parties,*

*Recalling* its decisions VI/19, VII/20 and VIII/22 on national classification and control procedures for the import of wastes contained in Annex IX to the Basel Convention,

1. *Encourages* those Parties experiencing difficulties with national classification or control procedures relating to the import of wastes contained in Annex IX that have not provided the Secretariat with information on those difficulties to complete the questionnaire developed for reporting such difficulties and return it to the Secretariat, if possible by 31 December 2008;
2. *Requests* the Secretariat to prepare a compilation of the information received from Parties on their difficulties with national classification or control procedures relating to the import of wastes contained in Annex IX and to post that information on the website of the Basel Convention (<http://www.basel.int>) and update it on a continuous basis;
3. *Also requests* the Secretariat to prepare a consolidated report based on any such information received and to transmit that report to the Conference of the Parties for consideration at its tenth meeting.

## **IX/22: Implementation of decision V/32 on enlargement of the scope of the Trust Fund to Assist Developing and Other Countries in Need of Assistance in the Implementation of the Basel Convention**

*The Conference of the Parties*

1. *Requests* the Open-ended Working Group to review the implementation of decision V/32 and to develop recommendations addressing the expediency of the procedures under the mechanism for emergency assistance adopted therein, the adequacy of resources available for use under the mechanism and cooperation with other international organizations and agencies in responding to emergency situations and to transmit those recommendations to the Conference of the Parties for consideration at its tenth meeting;
2. *Adopts* the standard form set out in the annex to the present decision for requests for emergency assistance from the Trust Fund to Assist Developing Countries and other Countries in Need of Technical Assistance in the Implementation of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (Technical Cooperation Trust Fund) by developing and other countries;
3. *Requests* the Secretariat to place the standard form for requests for emergency assistance, in all six official United Nations languages, on the Basel Convention website;
4. *Urges* Parties that are in a position to do so to provide contributions to the Technical Cooperation Trust Fund to support the activities referred to in parts 1 and 3 of the Interim Guidelines for the Implementation of Decision V/32, Enlargement of the scope of the Technical Cooperation Trust Fund.<sup>21</sup>

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21 UNEP/CHW.6/40, annex.

## Annex to decision IX/22

## Standard form for request for emergency assistance from the Technical Cooperation Trust Fund by developing and other countries

Details of the State requesting assistance	
Name of country requesting assistance:	
Name and address of requesting authority including details of the Basel Convention focal point and a contact point for this request: <i>(Please include full name, address, telephone and fax numbers and e-mail address)</i>	
Name and contact points of any other United Nations organizations or other bodies contacted in connection with this incident:	
Technical details of the incident and those involved	
Date and location of the incident: <i>(Please attach a map and/or other means of identifying where the incident occurred, and/or sketch of the incident or other material, e.g., photographs of the pollution or damage caused)</i>	
Information that defines the material involved as waste (e.g., especially where there is no accompanying documentation stating as such with the shipment):	
Specific details on the incident, including: (i) a description of how the incident occurred and who was involved; (ii) when it was discovered and by whom; (iii) whether the waste involved was subject to written consent under the Basel Convention notification procedure; (iv) any data from samples taken.	
Description of hazardous wastes or other wastes involved (name, origin, physical form, major constituents, typical contaminants, volume/quantity, waste code) and how it was packaged and labelled; <sup>22</sup> <i>(Please supply photographs)</i>	
Type and extent of damage that has occurred and is likely to occur (e.g., dilution factors, dispersion problems, rate of spread): <i>(If trajectory models are used please give brief details)</i>	
Names and roles of other States involved in the transboundary movements in question (e.g., state of origin, transit or destination) and the names of relevant competent authorities:	

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22 Further to paragraph 7 (b) of article 4 of the Basel Convention.

<i>(Please include full names, addresses, telephone and fax numbers and e-mail addresses)</i>	
Names and addresses of persons involved in the transboundary movements in question (e.g., exporter, importer, notifier, carrier, disposer):  <i>(Please include full names, addresses, telephone and fax numbers and e-mail addresses)</i>	
Names and addresses of insurers, <sup>23</sup> if any:  <i>(Please include full name, address, telephone and fax numbers and e-mail address)</i>	

<b>Actions required to be undertaken for which assistance is requested</b>	
Measures taken in response to the incident:	
Requests for assistance from other countries involved in the incident:	
Any legal or other relevant information, for example if there is an ongoing investigation into illegal traffic in respect of the incident that may include gathering or use of this information as evidence:	
Preventive measures that are necessary to mitigate damage:	
Breakdown of costs for the preventive and other measures:	
Type of emergency assistance required, such as financial assistance, materials, equipment, expertise or other resources (please indicate priority and timing if possible):	

Signed: .....

Position (e.g., Director, Minister, etc.): .....

On behalf of (Government name): .....

Date: .....

Please submit this request to:

UNEP-SBC

15, chemin des Anémones

1219 Châtelaine (Geneva)

Switzerland

Tel: + 41 22 917 82 18

Fax: + 41 22 797 34 54

Email: [sbc@unep.ch](mailto:sbc@unep.ch)

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23 Further to paragraph 11 of article 6 of the Basel Convention.



## **IX/23: Enforcement: national legislation and other measures adopted by Parties to implement the Basel Convention and to combat illegal traffic**

### *The Conference of the Parties*

1. *Urges* Parties to fulfil their obligations under paragraph 4 of article 4 and paragraph 5 of article 9 of the Convention, in particular:
  - (a) To promulgate, update or develop stringent legislation on the control of transboundary movements of hazardous wastes;
  - (b) To incorporate in their national legislation appropriate sanctions or penalties for illegal traffic in hazardous wastes and other wastes covered by the Basel Convention;
2. *Requests* the Secretariat, subject to availability of funding, to organize enforcement training activities, in collaboration with the Basel Convention regional centres, the secretariats of other multilateral environmental agreements and other international organizations, agencies or programmes, to assist Parties, particularly developing countries and countries with economies in transition, to develop national legislation and other measures to implement and enforce the Convention and to prevent and punish illegal traffic;
3. *Encourages* Parties to continue to provide the Secretariat with the texts of national legislation and other measures adopted by them to implement and enforce the Basel Convention;
4. *Requests* the Secretariat to continue to maintain a collection of national legislation and other measures adopted by Parties to implement the Basel Convention, including measures to prevent and punish illegal traffic, and to make such measures available on the Convention website;
5. *Requests* the Secretariat to prepare, subject to the receipt of voluntary contributions for this purpose, a draft instruction manual for the legal profession on the prosecution of illegal traffic based upon the draft detailed outline prepared by the Secretariat,<sup>24</sup> as well as any proposals and comments provided in accordance with the present decision, and to submit the draft to the Open-ended Working Group for its consideration and possible approval;
6. *Requests* Parties and others to provide to the Secretariat by 28 February 2009 proposals and comments on the detailed draft outline referred to in paragraph 5 above and information regarding specific experiences and cases relevant to the instruction manual;
7. *Requests* the Open-ended Working Group to consider and approve the draft instruction manual;
8. *Calls upon* Parties and others in a position to do so to make financial or in-kind contributions toward the conduct of enforcement training activities and the preparation of the draft instruction manual for the legal profession on the prosecution of illegal traffic;
9. *Requests* the Secretariat to continue to provide advice and assistance on matters related to implementation and enforcement of the Convention, including on the development of national legislation, to Parties upon request.

## **IX/24: Protocol on liability and compensation**

### *The Conference of the Parties*

1. *Appeals* to Parties to the Convention to expedite the process of ratifying the Protocol on Liability and Compensation for Damage Resulting from Transboundary Movements of Hazardous Wastes and their Disposal to facilitate its entry into force at the earliest opportunity;
2. *Calls upon* Parties to continue to consult at the national and regional levels with a view to determining possible means of overcoming perceived obstacles to ratification of the Protocol,

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24 UNEP/CHW/OEWG/6/12, annex.

including in respect of the requirement for insurance, bonds or other financial guarantees under article 14 of the Protocol.

## **IX/25: Addressing the interpretation of paragraph 5 of article 17 of the Basel Convention**

*The Conference of the Parties,*

*Recalling* decision VIII/30 addressing the interpretation of paragraph 5 of article 17 of the Basel Convention,

*Requests* the Open-ended Working Group to continue at its seventh session the development of a draft decision to reach an agreed interpretation of paragraph 5 of Article 17 of the Basel Convention in accordance with international law, taking into account the work of the Conference of the Parties on the matter at its ninth meeting and the non-exhaustive list of possible elements for a draft decision set out in the annex to the present decision.

### **Annex to decision IX/25**

#### **Non-exhaustive list of possible elements for a draft decision to reach an agreed interpretation of paragraph 5 of Article 17 of the Basel Convention for consideration by the Open-ended Working Group at its seventh meeting**

*[The Conference of the Parties,*

1. <sup>25</sup> *[Desiring* to clarify the requirements for the entry into force of amendments to the Convention in paragraph 5 of article 17 of the Basel Convention to facilitate their entry into force;]
2. <sup>26</sup> *[Agrees] [affirms]* that matters of substance relating to interpretation of treaties should be resolved in accordance with established practices of international law, including article 31 of the Vienna Convention on the Law of Treaties;]
3. <sup>27</sup> *[Agrees* that paragraph 5 of article 17 of the Basel Convention [may] present[s] some ambiguities as to the requirements for entry into force of amendments to the Convention [to some Parties];]
4. <sup>28</sup> *\*\* [Emphasizes* that the Parties to the Convention have the ultimate power to agree on the interpretation [and application] of the Convention;]
5. <sup>29</sup> *\*\* [Agrees* that any decision adopted by a Conference of the Parties would need to be adopted

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25 *Desiring* to clarify the requirements for the entry into force of amendments to the Convention in paragraph 5 of article 17 of the Basel Convention [to facilitate their entry into force];

26 *Affirms* that matters relating to interpretation of treaties should be resolved in accordance with general principles of international law, including article 31 of the Vienna Convention on the Law of Treaties;

27 *[Agrees* that paragraph 5 of article 17 of the Basel Convention [may] present[s] some ambiguities as to the requirements for entry into force of amendments to the Convention [to some Parties];]

28 *Emphasizes* that the Parties to the Convention have the ultimate power to agree on the interpretation of the Convention or the application of paragraph 5 of Article 17 of the Convention in accordance with article 31 of the Vienna Convention on the Law of Treaties;

29 *[Agrees* that any decision adopted by a Conference of the Parties pursuant to paragraph 4 of this decision [in respect to article 17, paragraph 5.] would need to be adopted by consensus [if in the event it constitutes][if only it constitutes] a subsequent agreement in the sense used in article 31, paragraph 3(a), of the Vienna Convention on the Law of Treaties.];

*[Recognises* that according to the advice given by the Secretary General of the United Nations, as the Depositary to the Convention, any decision, if it is a subsequent agreement in the sense used in article 31 paragraph 3(a) of the Vienna Convention on the Law of Treaties, adopted by consensus by the Conference of the Parties pursuant to paragraph 4 in this decision would be definitive, binding and authoritative.];

*[Recognises* that according to the advice given by the Secretary General of the United Nations, as the Depositary to the Convention, any decision pursuant to paragraph 4 above, would be a subsequent agreement in the

**Alternative 1:** [in accordance with rule 40 of the rules of procedure of the Basel Convention]

**Alternative 2:** [by consensus\*]

**Alternative 3:** [without opposition\*]

in order to validly serve as an aid to the interpretation of paragraph 5 of article 17 of the Basel Convention;]

6. [Option 1: *Resolves* that the conditions for the entry into force of an amendment to the Convention, as set out in paragraph 5 of article 17 of the Basel Convention, shall be deemed to have been satisfied upon the ninetieth day after the receipt by the Depositary of the instruments of ratification, approval, formal confirmation or acceptance from:

**Alternative 1:** [at least three-fourths of the current Parties to the Convention]

**Alternative 2:** [at least three-fourths of the States and political and/or economic integration organizations that were party to the Convention on the date upon which the amendment was adopted]

**Alternative 3:** [a number of Parties equivalent to at least three-fourths of the number of States and political and/or economic integration organizations that were party to the Convention on the date upon which the amendment was adopted]]

7. [Option 2: *Agrees* that in the application of paragraph 5 of article 17 of the Basel Convention, three fourth of the Parties shall be calculated on the basis of those States and political and/or economic integration organizations that were party to the Convention on the date upon which the amendments was adopted;]

8. [Option 3: *Agrees* that in the application of paragraph 5 of article 17 of the Basel Convention, three fourths of the Parties shall be calculated on the basis of the number of Parties at the time of deposit of each instrument of ratification, approval, formal confirmation or acceptance of amendments;]

9. <sup>30</sup> \*\* [*Determines* that the present decision shall constitute a subsequent agreement in the sense used in article 31, paragraph 3 (a), of the Vienna Convention on the Law of Treaties;]

10. [*Resolves* that this subsequent agreement shall enter into force ... [*Parties may wish to consider how and when such a subsequent agreement might enter into force*]]]

## **IX/26: President's statement on the possible way forward on the Ban Amendment**

*The Conference of the Parties,*

*Acknowledging* the "President's statement on the possible way forward on the Ban Amendment" set out in the annex to the present decision,

*Invites* Parties to take into consideration, wherever possible, the proposed way forward set out in the President's statement.

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sense used in article 31 paragraph 3(a) of the Vienna Convention on the Law of Treaties, and the same adopted by consensus by the Conference of the Parties would be definitive, binding and authoritative]

\* The Parties may wish to consider these alternatives and their definitions further, in the light of the previous discussions and work on this issue, as reflected in the annex.

\*\* The Parties may wish to note that the proposed alternatives contained in the footnotes of paragraphs 4 and 5 are interrelated, with paragraph 9 being deleted due to its proposed integration into paragraph 5.

## Annex to decision IX/26

### President's statement on the possible way forward on the Ban Amendment

1. Thirteen years ago, the Conference of the Parties adopted an amendment to the Convention which was devised to prohibit the transboundary movement of hazardous wastes from the so-called Annex VII countries, namely, "members of OECD, EC, Liechtenstein", to other countries. This prohibition was to apply to shipments of hazardous waste for resource recovery and recycling, as well as for final disposal.
2. At the time of adoption, it was perceived that "transboundary movements of hazardous waste, especially to developing countries, have a high risk of not constituting environmentally sound management of hazardous wastes as required" under the Basel Convention and, thus, that an export prohibition would protect such countries. Furthermore, in 1998, the fourth meeting of the Conference of the Parties took decision IV/8 that the content of Annex VII would not be re-opened until the Ban Amendment had entered into force.
3. The President strongly believes that it is important to have in place a mechanism which will safeguard vulnerable countries and ensure environmentally sound management, taking into account recent global trends, including developments in technologies for resource recovery and recycling.
4. The President notes that there is no consensus among Parties as to the interpretation of the provision regulating the number of ratifications required for entry into force of an amendment under the Convention. The President commends the considerable efforts that have been made, and that continue to be made, by Parties to consider the interpretation of the amendment procedure under the Convention.
5. Given the length of time that has elapsed since the adoption of the Ban Amendment and that some time may still be needed to address the interpretation of the amendments procedure, the President seeks to launch a process, on the august occasion of the ninth meeting of the Conference of the Parties, which will reaffirm the objectives of the Ban Amendment and explore means by which these objectives might be achieved. The President stresses that this initiative should serve to complement, and most certainly should be without prejudice to, the continuing efforts by Parties to ensure the entry into force of the Ban Amendment.
6. To this end, the President calls upon all Parties to the Convention to expedite ratification of the Ban Amendment, so as to facilitate its entry into force, which will allow the achievement of the objectives of the Amendment, namely to protect those vulnerable countries without adequate capacity to manage hazardous wastes in an environmentally sound manner, and to ensure the environmentally sound management of hazardous wastes.
7. The President further calls upon all Parties to create enabling conditions, through, among other measures, country-led initiatives conducive to attainment of the objectives of the Amendment. Examples of such initiatives might include activities to address national enforcement capacity to monitor, detect and control illegal traffic, through such means as establishing criteria for clear characterization of such wastes; in case of doubt as to the hazardousness of certain materials, provisions requiring the application of the prior informed consent procedure and the use of precise custom codes; efforts to address their capacity to monitor and trace shipments of hazardous wastes; and the transposition of the objectives of the Ban Amendment into national legislation. Such country-led initiatives will serve to contribute to gathering momentum to encourage ratification of the Amendment and to expedite its entry into force.
8. The President stresses, however, that in order for the objectives of the Ban Amendment to be achieved worldwide, capacity-building activities and global partnerships are vital.
9. The President invites all Parties to join this initiative, which seeks to launch a process by which Parties are encouraged to work together to bring the Convention closer to achieving the objectives of the Amendment. The President thus invites Parties to exchange experiences and best practices on steps taken to achieve the objectives of the Ban Amendment, and in particular encourages Parties to share information on such progress on the occasion of the next meeting of the Conference of the Parties.

## IX/27: National definitions of hazardous wastes

### *The Conference of the Parties*

1. *Requests* Parties that have not yet provided the Secretariat with any of the information required under article 3 of the Convention to provide such information as soon as possible and to report any subsequent significant change in that information using the standardized reporting format for reporting under article 3 of the Convention;
2. *Also requests* Parties, when providing such information to the Secretariat, to make reference to the relevant Convention provision to avoid ambiguity;
3. *Requests* the Secretariat to assist Parties in ensuring that information notified is up to date and as clear as possible to facilitate Parties' understanding of other Parties' national definitions of hazardous wastes;
4. *Also requests* the Secretariat to make available on its website the information received from Parties pursuant to article 3 of the Convention and, within available resources, to make such information available in the six official languages of the Convention;
5. *Further requests* the Secretariat to report to the Conference of the Parties at its tenth meeting on the implementation of the present decision.

## IX/28: Article 11 agreements and arrangements

### *The Conference of the Parties*

1. *Calls upon* Parties to continue to notify the Secretariat of bilateral, multilateral or regional agreements or arrangements that they have concluded, as required under paragraph 2 of article 11 of the Convention, and invites Parties to transmit the full texts of such agreements or arrangements to the Secretariat;
2. *Requests* the Secretariat to continue to communicate with the Parties with a view to obtaining notifications and full texts of such agreements or arrangements and to publish such texts on the Basel Convention website in order to provide a useful information resource for Parties, other States and other stakeholders

## IX/29: Designation of competent authorities and focal points

### *The Conference of the Parties,*

#### *Recalling decision VIII/29 on competent authorities and focal points,*

1. *Calls on Parties* to designate competent authorities and focal points for the Convention, if they have not done so, and to submit formal designations to the Secretariat by fax or post using the form set out in the annex to the present decision, including any modifications or additions as they occur;
2. *Urges* Parties to provide the Secretariat with up-to-date contact details of competent authorities and focal points to ensure the efficient transmission of information;
3. *Requests* Parties that have designated multiple competent authorities to make sufficient information available regarding the functions and geographical area covered by each of them;
4. *Invites* non-Parties and interested organizations to identify contact persons for the Convention, if they have not done so, and to submit the relevant information to the Secretariat, including any modifications or additions as they occur;
5. *Requests* the Secretariat to continue to maintain the list of competent authorities and focal points and to post it on the Convention website to facilitate communications concerning matters related to the Convention.

**Annex to decision IX/29****Designation of Competent Authority<sup>31</sup> and Focal Point<sup>32</sup> in accordance with Article 5 of the Basel Convention**

The present form is intended to assist Parties in notifying the Secretariat of new designations of Competent Authorities or Focal Points. Parties may, however, continue to transmit such designations by fax or letter, if they wish to do so.

**Please send this form duly completed to the Executive Secretary of the Secretariat of the Basel Convention by fax (+41-22-797 34 54). Kindly note that self-nominations will not be considered.**

The form must be completed by an entity duly authorized by your Government to communicate such information to the Secretariat, and the information transmitted shall be included in the official records of the Secretariat as the officially designated Competent Authorities and/or Focal Points for the purposes of Article 5 of the Convention.

**Country name:**

**Nomination transmitted by:**

First and last name:

Function:

Government of:

Signature and official seal:

Telephone number:

Fax number:

E-Mail address:

Date:

**Attached is the contact information, transmitted pursuant to Article 5 of the Basel Convention, of the newly designated**

- ☐ **Competent Authority(ies)**  
☐ **Focal Point**

<sup>31</sup> “Competent authority” means one governmental authority designated by a Party to be responsible, within such geographical areas as the Party may think fit, for receiving the notification of a transboundary movement of hazardous wastes or other wastes, and any information related to it, and for responding to such a notification, as provided in Article 6.

<sup>32</sup> “Focal point” means the entity of a Party referred to in Article 5 responsible for receiving and submitting information as provided for in Articles 13 and 16.

<b>COMPETENT AUTHORITY*</b>
-----------------------------

Functional title:	_____
Department:	_____
Organization:	_____
Address:	_____
City:	_____
Country:	_____
Telephone number:	_____
Fax number:	_____
E-Mail address:	_____
Contact person:	_____
Other information:	_____

\* In the case of multiple competent authorities, please include list in an attachment.

<b>FOCAL POINT</b>
--------------------

Functional title:	_____
Department:	_____
Organization:	_____
Address:	_____
City:	_____
Country:	_____
Telephone number:	_____
Fax number:	_____
E-Mail address:	_____
Contact person:	_____
Other information:	_____

**The Secretariat will acknowledge receipt of the information transmitted, and will make it publicly available on the website of the Basel Convention (<http://www.basel.int>).**

## IX/30: Dismantling of ships

*The Conference of the Parties,*

*Recalling* its decision VIII/11 on environmentally sound ship dismantling,

*Recalling also* its invitation at its eighth meeting to the International Maritime Organization to ensure that the international convention on safe and environmentally sound recycling of ships to be adopted by it establishes an equivalent level of control as that established under the Basel Convention, noting that the duplication of regulatory instruments that have the same objective should be avoided,

*Further recalling* the principles of the Basel Convention, in particular to minimize the generation and transboundary movement of hazardous wastes, to ensure the environmentally sound management of such wastes and to prevent the export of hazardous wastes to countries without their prior informed consent,

*Recalling also* the encouragement to the International Maritime Organization to promote the substitution of harmful materials in the construction and maintenance of ships by less harmful or, preferably, harmless materials, without compromising the ships' safety and operational efficiency,

*Further recalling* the encouragement to Parties to coordinate at the national level between their International Maritime Organization and Basel Convention representatives and to participate actively in the consideration of the draft ship recycling convention,

*Acknowledging* work carried out to develop programmes for sustainable ship recycling in collaboration with the International Maritime Organization and the International Labour Organization,

### I. Draft international convention on the safe and environmentally sound recycling of ships

1. *Welcomes* the progress made in the development of an international convention on the safe and environmentally sound recycling of ships ("the ship recycling convention") by the International Maritime Organization;

2. *Invites* the International Maritime Organization to continue to have due regard to the role, competence and expertise of the Basel Convention in matters related to ship dismantling and in particular with regard to the environmentally sound management and disposal of hazardous and other wastes;

3. *Also invites* the International Maritime Organization to continue to incorporate clear responsibilities of all stakeholders in ship recycling, including ship owners, ship recycling facilities, flag States and ship recycling States, with a view to achieving the safe and environmentally sound management of ship recycling, also taking into account the current capacity and the common but differentiated responsibilities and sovereign rights of the Parties;

4. *Requests* the Open-ended Working Group:

(a) To carry out a preliminary assessment on whether the ship recycling convention, as adopted, establishes an equivalent level of control and enforcement as that established under the Basel Convention, in their entirety, after having developed the criteria necessary for such assessment, and, in doing so, to take into account:

- (i) The special characteristics of ships and international shipping;
- (ii) The principles of the Basel Convention and the relevant decisions of the Conference of the Parties;
- (iii) The comments submitted by Parties and other relevant stakeholders, as appropriate;

(b) To transmit the results of the assessment to the Conference of the Parties at its tenth meeting for consideration and action, as appropriate;

5. *Invites* Parties to that end, to provide comments on appropriate criteria to be used to the Secretariat, by 31 January 2009;



6. *Requests* the Secretariat to continue to follow the development of the ship recycling convention and to report thereon to the Open-ended Working Group at its seventh session and to the Conference of the Parties at its tenth meeting;

7. *Also requests* the Secretariat to transmit this decision for submission to the International Maritime Organization for consideration by the Marine Environment Protection Committee at its fifty-eighth session;

## **II. International cooperation and technical assistance activities on the environmentally sound management of ship dismantling**

8. *Invites* Parties and others to continue to transmit to the Secretariat relevant information that may assist stakeholders in developing measures to address, in the short and medium term, the potentially harmful consequences of ship dismantling on human health and the environment and requests the Secretariat to continue to make any such information received available on the Basel Convention website;

9. *Underlines* the importance of continued inter-agency cooperation between the International Labour Organization, the International Maritime Organization and the Basel Convention on issues related to ship dismantling, as appropriate;

10. *Welcomes* the development of implementation programmes relating to sustainable ship recycling and requests the Secretariat, subject to the availability of funding, to continue its work and to develop further the programmes for sustainable ship recycling in conjunction with other bodies, in particular the International Maritime Organization and the International Labour Organization, and to report thereon to the Open-ended Working Group at its seventh session for its consideration and for the Open-ended Working Group to report thereon to the Conference of the Parties at its tenth meeting;

11. *Calls upon* all Parties and other stakeholders in a position to do so to make financial or in-kind contributions to the implementation of activities under the relevant programmes;

12. *Requests* the Secretariat to report to the Open-ended Working Group and the Conference of the Parties on the outcome of the third session of the Joint Working Group of the International Labour Organization, the International Maritime Organization and the Basel Convention on Ship Scrapping.

## **IX/31: Programme budget for the period 2009–2011**

*The Conference of the Parties,*

*Recalling* its decision VIII/33 and decision OEWG-VI/25 of the Open-ended Working Group on financial matters,

*Taking note of* the report on the 2007 income and expenditures of the Trust Fund for the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (Basel Convention Trust Fund) and the Trust Fund to Assist Developing Countries and other Countries in Need of Technical Assistance in the Implementation of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (Technical Cooperation Trust Fund) and on projected 2008 expenditures of the Basel Convention Trust Fund,<sup>33</sup>

1. *Decides*, notwithstanding paragraphs 3 and 23 of appendix I of decision VI/41 setting a biennial financial period for the Basel Convention, to adopt, as an extraordinary one-time measure, a three-year budget cycle for the period 2009–2011 in order to facilitate synchronization of the budget cycle of the Basel Convention with the budget cycles of the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the Stockholm Convention on Persistent Organic Pollutants in accordance with the recommendation on coordination and cooperation adopted in decision IX/11 and in the light of decision IX/34 on the date and venue of the tenth meeting of the Conference of the Parties;

2. *Approves* the programme activities set out in table 1 of the present decision and the programme budget for the Basel Convention Trust Fund in the amount of \$4,169,474 for 2009, \$4,399,203 for 2010 and \$4,680,112 for 2011 for the purposes set out in table 2 of the present decision;

3. *Approves* the staffing of the Convention Secretariat for the period 2009–2011 as set out in table 3 of the present decision;
4. *Decides* that the total amount of the contributions to be paid by the Parties is \$4,188,999 for 2009, \$4,399,203 for 2010 and \$4,680,112 for 2011, apportioned as set out in table 4 of the present decision;
5. *Authorizes* the Executive Secretary to enter into commitments up to the level of the approved budget, drawing on available cash resources, including unspent balances, contributions from previous financial periods and miscellaneous income;
6. *Requests* the Executive Secretary to maintain the level of the working capital reserve at 15 per cent of the average annual operational budgets for 2009–2011;
7. *Decides* that the Executive Secretary may make transfers of up to 20 per cent from one main appropriation line of the approved budget to other main appropriation lines except that expenditure on the Open-ended Working Group and related meetings shall not be increased;
8. *Expresses* its deep concern over delays in payment of agreed contributions by Parties contrary to the provisions set out in paragraph 8 of the terms of reference for the administration of the Basel Convention Trust Fund;
9. *Urges* all Parties to pay their contributions promptly and in full and further urges Parties that have not done so to pay their contributions for prior years as soon as possible and in this context welcomes the monthly publication by the Secretariat on the Convention website of all contributions received;
10. *Invites* the President of the Conference of the Parties and the Executive Director of the United Nations Environment Programme to write to Parties whose contributions are overdue, impressing on them the importance of paying their arrears for 2007 and previous years;
11. *Authorizes* the Executive Secretary to agree with any Party whose contributions are in arrears for two or more years to implement a schedule of payments to permit such Party to clear all outstanding arrears, within six years depending on the financial circumstances of the Party, and to pay its future contributions by their due dates, and requests the Executive Secretary to report on the implementation of any such agreement to the Expanded Bureau and to the Conference of the Parties at their next meetings;
12. *Decides*, with regard to contributions due from 1 January 2001 onwards:
  - (a) That any Party whose contributions are in arrears for two or more years shall not be eligible to become a member of any bureau of the Conference of the Parties or its subsidiary bodies;
  - (b) That any Party whose contributions are in arrears for four or more years shall not be entitled to vote at any meeting of the Conference of the Parties unless the Conference decides otherwise;
  - (c) That subparagraphs (a) and (b) above shall not apply to Parties that are least developed countries or small island developing countries or to Parties that have agreed on and are respecting a schedule of payments implemented in accordance with paragraph 11 above;
13. *Requests* the Executive Secretary to continue to report to the Open-ended Working Group and to the Expanded Bureau, in a timely and transparent manner, on all sources of income received, including the reserve and fund balances and interest, together with actual, provisional and projected expenditures and commitments, and requests the Executive Secretary to report on all expenditures against agreed budget lines;
14. *Requests* the Executive Secretary to prepare for consideration by the Open-ended Working Group at its seventh meeting, if appropriate, a proposal for using any increase in the reserves and fund balance of the Basel Convention Trust Fund which may arise due to payments by 1 October 2008 of arrears of contributions for the period up to 1 January 2008 to increase the operational budget for 2011;
15. *Takes note* of the programme budget for the Technical Cooperation Trust Fund in the amount of \$4,379,000 for 2009, \$4,525,000 for 2010 and \$1,390,000 for 2011 as set out in table 5 of the present decision and mandates the Open-ended Working Group at its seventh meeting to finalize the programme activities for 2011 in lines 1 to 58 of table 1 and, if appropriate, take note of any changes in the funding required from the Technical Cooperation Trust Fund,

16. *Requests* the Executive Secretary to present at the next meeting of the Conference of the Parties a report on the challenges, constraints and obstacles that led to the Basel Convention's current financial situation, with a view to avoiding a recurrence of a similar situation in the future;

17. *Invites* Parties, non-Parties and others to increase in a stable and predictable manner their voluntary contributions to the Technical Cooperation Trust Fund and to the Basel Convention Trust Fund;

18. *Invites* Parties, non-Parties and other stakeholders to contribute financially and with other means to the implementation of the activities prepared for the focus areas of the Strategic Plan for the Implementation of the Basel Convention and related projects and encourages Parties and non-Parties to submit such projects for consideration by appropriate funding agencies;

19. *Reiterates* that partnerships should remain self-sustainable dependant upon voluntary contributions and should serve as an additional means of assisting parties to implement the Basel Convention;

20. *Requests* Parties to notify the Secretariat of the Basel Convention of all contributions made to the Basel Convention Trust Fund and the Technical Cooperation Trust Fund at the time that such payments are made;

21. *Decides* that the Basel Convention Trust Fund and the Technical Cooperation Trust Fund shall be continued until 31 December 2013 and requests the Executive Director of the United Nations Environment Programme to extend them for the period 2011–2013, subject to the approval of the Governing Council of the United Nations Environment Programme;

22. *Requests* the Executive Secretary to continue her dialogue with the Executive Director of the United Nations Environment Programme regarding the support given to the Secretariat in exchange for the 13 percent programme support payments made by the Convention to the United Nations Environment Programme and to report to the Conference of the Parties at its tenth meeting on the outcome of such dialogue;

23. *Requests* the Executive Secretary to prepare a budget for the biennium 2012–2013 for consideration by the Conference of the Parties at its tenth meeting and to explain the key principles and assumptions on which the budget is based;

24. *Notes* the need to facilitate priority-setting by providing Parties with timely information on the financial consequences of various options and to that end requests the Executive Secretary to include in the proposed programme budget for the biennium 2012–2013 two alternatives based on:

(a) The Executive Secretary's assessment of the required rate of growth of the programme budget;

(b) Maintaining the average annual operational budget at the 2009–2011 level in real terms;

25. *Welcomes* the indicators provided in the current work programme and recognizes that measurable indicators of achievement and performance are needed to enable the assessment of the implementation of the work programme and to facilitate the preparation of the programme budget for the biennium 2012–2013 and accordingly requests the Secretariat to propose measurable indicators of achievement and performance for consideration by the Open-ended Working Group at its seventh meeting and to report on those indicators in the proposed budget for the biennium 2012–2013;

26. *Requests* the Executive Secretary, drawing on, inter alia, the recommendations of the United Nations Joint Inspection Unit<sup>34</sup>, the experience of the United Nations Convention to Combat Desertification, the work done by the Secretariat of the Rotterdam Convention in response to decision RC-3/7 and paragraph 23 of RC-1/17 of that Convention's Governing Council, to assess the advantages and disadvantages of using the host country currency or the United States dollar as the currency of the accounts and budget of the Convention and to report on the outcome of its efforts to the Conference of the Parties at its tenth meeting, making such proposals as may be appropriate;

27. *Requests* the Executive Secretary, in accordance with paragraph 22 of appendix I of decision VI/41, to arrange for the conduct on a regular basis of audits by the United Nations Office of Internal Oversight Services, to request, when appropriate, reports from the United Nations Board of Auditors and to submit any such reports to the Conference of the Parties, together with the Secretariat's responses.

**Table 1****Programme budget for 2009–2011****Conferences and meetings****Mandate:**

The Secretariat's functions are mandated by article 16 of the Convention, the rules of procedure and decisions of the Conference of the Parties.

**Objectives:**

To provide appropriate facilities and logistics to ensure the effective conduct of meetings.

**Indicators of achievement:**

1. Adequate meeting facilities and services are secured.
2. Working documents are made available to Parties in all working languages within deadlines.
3. Efficient technical and substantive support are provided at meetings.
4. Adequate participation in meetings by representatives from developing countries and countries with economies in transition is ensured (subject to the availability of funding).

Activity number	Activities	Expected outputs	Method of implementation internal/external	2009			2010			2011		
				Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund
1	<b>Organize and support the tenth meeting of the Conference of the Parties:</b> conclusion of host country agreement; liaison with and assistance to the host country; organization of travel of sponsored delegates; preparation, translation and publication of all related documents; support for the Chair before and during the meeting; registration of participants; all logistical support including interpretation and security; support to the Conference and its working groups during and between meetings. Duration: 5 days	A successfully organized meeting of the Conference of the Parties; Documentation for the meeting in the six official United Nations languages.	Internal (funds for salaries/travel of conference staff, translation, logistics, temporary assistance (\$705,000) and participation of sponsored delegates at COP10 (\$1,020,000)	–	–	–	175 000	175 000	–	1 520 000	500 000	1 020 000

Activity number	Activities	Expected outputs	Method of implementation internal/external	2009			2010			2011		
				Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund
2	Organize and support the seventh session of the Open-ended Working Group including the meeting called for in paragraph 13 of decision IX/4; arrangement of the venue; organization of travel of sponsored delegates, preparation, translation and publication of all related documents, support for the Co-Chairs before and during the meeting; registration of participants; all logistical support including interpretation and security; support to the Open-ended Working group and its working groups during and between meetings. Duration: 5 days.	Successfully organized sessions of the Open-ended Working Group; Documentation for the meeting in the six official United Nations languages.	Internal (funds for salaries/travel of conference staff, translation, logistics, temporary assistance (\$560,000) and participation of sponsored delegates (\$501,000).	300 000	300 000	–	746 000	230 000	516 000	–	–	–
3	Organize the logistics and documentation for meetings of the Expanded Bureau: arrangement of the venue, arrangement of Bureau member travel, preparation and publication of all related documents.	Successfully organized meetings of the Expanded Bureau; Documentation for meetings in English only.	Internal (funds for logistics and travel of the members of the Expanded Bureau).	32 000	32 000	–	–	–	–	32 000	32 000	–
4	Organize the logistics and documentation for meetings of the Compliance Committee: arrangement of the venue, arrangement of Committee member travel, preparation and publication of all related documents; support for the intersessional activities of the Committee.	Successfully organized meetings of the Compliance Committee; Documentation for meetings in English only.	Internal (funds for logistics and travel of the members of the Compliance Committee ((\$30,000); and implementation of the work programme, two 3-month consultancies at P-5 level for each year).	64 000	–	64 000	92 000	28 000	64 000	28 000	28 000	–
5	Organize special events in celebration of the twentieth anniversary of the adoption of the Basel Convention.	Celebration of the twentieth anniversary of the adoption of the Basel Convention.	Internal (funds required for production of film, exhibition materials, logistical support etc).	120 000	–	120 000	–	–	–	–	–	–
<b>Subtotal</b>				<b>516 000</b>	<b>332 000</b>	<b>184 000</b>	<b>1 013 000</b>	<b>433 000</b>	<b>580 000</b>	<b>1 580 000</b>	<b>560 000</b>	<b>1 020 000</b>

**Programme and cross cutting-support**

**Legal support**

**Mandate:**

1. Article 16 of the Convention.

2. Decisions VIII/9, VIII/15, VIII/24, VIII/25, VIII/26, VIII/27, VIII/28, VIII/30, VII/29 and VII/9, recommendations of the Open-ended Working Group, the Expanded Bureau and the Compliance Committee and requests from Parties.

**Objectives:**

1. To facilitate the operation of the Basel Convention, the operation of the organs of the Convention and the operation of the Secretariat in a manner consistent with the provisions of the Convention and public international law.
2. To assist Parties to implement the Basel Convention at the national level.
3. To enhance compliance with and implementation of the Convention.

**Indicators of achievement:**

1. New tools to assist Parties and others to address legal aspects of Convention implementation (including on regulatory and enforcement matters) are developed, subject to availability of resources, and are approved by the Conference of the Parties at its tenth meeting or by the Open-ended Working Group if necessary, for dissemination in the working languages of the Convention.
2. The proportion of Parties that have developed and adopted national implementing legislation, subsidiary legislation and mechanisms for promoting compliance and enforcement increases over the biennium 2009–2010 (as reflected by an increase in the legislation available on the website).

Activity number	Activities	Expected outputs	Method of implementation internal/external	2009			2010			2011		
				Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund
6	Collect and disseminate legislative texts and other legal materials on the Basel Convention website.	Legal information provided on website, which will assist Parties in the development of their national implementing legislation; more countries have drafted and enacted legislation; advice on draft legislation is provided to Parties on request.	Internal	–	–	–	–	–	–	–	–	–
7a	Provide general and legal policy advice; respond to Parties' queries relating to the implementation of and compliance with the Convention; facilitate the resolution by the Parties of issues of interpretation of the Convention and assist Parties in implementation and review of the emergency mechanism under decision V/32.	Advice provided on general legal or policy questions.	Internal	–	–	–	–	–	–	–	–	–
7b	Assist Parties in clarifying the scope of application of the Basel Convention in relation to ship dismantling, in collaboration with the International Maritime Organization (IMO) and the International Labour Organization (ILO).	OEWG presents recommendations to COP 10 on whether the IMO Convention establishes a level of control equivalent to that of the Basel Convention and whether COP should address extent to which there is a need for enhanced applications of the Convention to ship dismantling.	Internal (funds for staff travel)	5 000	5 000	–	5 000	5 000	–	5 000	5 000	–
8	Assist Parties to enforce the Convention and to combat illegal traffic.	Assistance is provided at the request of Parties to address alleged cases of illegal traffic and differences between Parties are resolved; in collaboration with other MEAs and organizations (e.g., Stockholm and Rotterdam conventions, the World Customs Organization (WCO), Interpol, UNEP Division of Environmental Law and Conventions (DELIC), other UNEP divisions) and through Green Customs initiative, tools and training activities are developed.	Internal (funds for consultancy and staff travel)	87 000	–	87 000	87 000	–	87 000	–	–	–
Subtotal				92 000	5 000	87 000	92 000	5 000	87 000	5 000	5 000	–

**Scientific and technical support****Mandate:**

Relevant COP decisions including decisions VIII/1, VIII/2, VIII/3, VIII/4, VIII/5, VIII/6, VIII/7, VIII/8, VIII/9, VIII/10, VIII/11, VIII/12, VIII/15, VIII/16, VIII/17, VIII/19, VIII/20, VIII/21, VIII/22, VIII/24 and VIII/33.

**Objective:**

To ensure that Parties to the Basel Convention receive capacity-building and technical and scientific information and guidance when required to allow them to deal with existing and emerging hazardous and other waste issues.

**Indicators of achievement:**

1. Parties' compliance with the provisions of the Convention is strengthened.
2. Awareness and ability of Parties to respond to existing and emerging issues are increased.
3. Technical assistance and advice are promptly provided to Parties and other stakeholders.
4. Capacity of Parties to implement the Convention is enhanced through technical guidelines, manuals and other tools.

Activity number	Activities	Expected outputs	Method of implementation internal/external	2009			2010			2011		
				Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund
9	Facilitate and oversee the development of technical guidelines, manuals, tools and case studies on technical aspects of the environmentally sound management of hazardous and other wastes as reflected in the work programme of OEWG.	Technical guidelines, tools and manuals on the environmentally sound management of hazardous and other wastes developed and disseminated.	Internal (funds for consultancy and staff travel)	75 000	75 000	–	75 000	75 000	–	75 000	75 000	–
10	Provide guidance and technical support to Parties on the technical aspects of the Convention, including technologies, illegal traffic, environmental impacts of wastes and emerging issues.	Scientific and technical advice provided.	Internal (funds for staff travel)	15 000	15 000	–	15 000	15 000	–	15 000	15 000	–
<b>Subtotal</b>				<b>90 000</b>	<b>90 000</b>	<b>–</b>	<b>90 000</b>	<b>90 000</b>	<b>–</b>	<b>90 000</b>	<b>90 000</b>	<b>–</b>

**Partnerships****Mandate:**

Decision VIII/5 and annex and decision VIII.6.

**Objectives:**

1. To establish effective partnerships that address in innovative ways emerging issues for the environmentally sound management (ESM) of waste or other stated priorities of the Conference of the Parties.



2. To establish partnerships that provide meaningful engagement of stakeholders in a forum aimed at enhancing and facilitating the sharing of experiences on emerging issues and priorities of Parties.

**Indicators of achievement:**

1. Parties' ability to use the partnership mechanism to help carry out the programme of work and to address special issues is improved.
2. Partnership-related information and products are widely distributed.
3. The number of regional and other related activities developed and funded through the partnership mechanism increases.
4. Stakeholder participation in partnership activities, including by developing countries and countries with economies in transition, increases.

Activity number	Activities	Expected outputs	Method of implementation internal/external	2009			2010			2011		
				Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund
11	Facilitate the establishment and operation of a new partnership and working group on ESM of used and end-of-life computing equipment.	Partnership and working group established; guidelines developed and other outputs widely disseminated.	Internal (funds for consultancy)	35 000	35 000	–	40 000	40 000	–	40 000	40 000	–
12	Serve as secretariat to the Mobile Phone Working Group and facilitate the functioning of and activities under the Mobile Phone Partnership Initiative.	Support to the Working Group provided; pilot projects implemented and products disseminated.	Internal	–	–	–	–	–	–	–	–	–
<b>Subtotal</b>				<b>35 000</b>	<b>35 000</b>	<b>–</b>	<b>40 000</b>	<b>40 000</b>	<b>–</b>	<b>40 000</b>	<b>40 000</b>	<b>–</b>

**Resource mobilization**

**Mandate:**

1. Decision VIII/34.

**Objectives:**

1. To ensure the provision of sufficient resources in the Technical Cooperation Trust Fund of the Basel Convention to support the priority focus areas of the Strategic Plan for the Implementation of the Basel Convention.
2. To assist Parties and BCRCs to increase resources needed to implement the Convention.

**Indicators of achievement:**

1. Financial resources are sufficient to carry out the programme of work approved by the Conference of the Parties at its ninth meeting.
2. The capacity of Parties and BCRCs to mobilize needed financial resources is improved.

Activity number	Activities	Expected outputs	Method of implementation internal/external	2009			2010			2011		
				Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund
15	Facilitate fundraising for activities that are not funded from the Basel Convention Trust Fund (BC); provide training and develop tools and strategies on resource mobilization.	Increase in ratio of secured funding in relation to projects presented to donors; increase in ratio of sustainable funding sources in relation to ad hoc funding; four train-the-trainers' courses on resource mobilization	Internal (funds for staff travel, training courses)	170 000	30 000	140 000	170 000	30 000	140 000	170 000	30 000	140 000
18	Finalize and distribute a framework for analysing the costs and benefits of implementing the Convention.	Framework guide to assist Parties to illustrate the benefits of implementing the Convention produced and disseminated	Internal (funds for consultancy)	5 000	5 000	–	–	–	–	–	–	–
<b>Subtotal</b>				<b>175 000</b>	<b>35 000</b>	<b>140 000</b>	<b>170 000</b>	<b>30 000</b>	<b>140 000</b>	<b>170 000</b>	<b>30 000</b>	<b>140 000</b>

#### Support to Basel Convention regional and coordinating centres

##### Mandate:

- Article 14 of the Convention.
- Decisions VI/1, VI/2, VI/3, VI/4, VII/1, VII/2, VII/8, VII/9, VIII/4 and VIII/33.
- Draft decision presented at the ninth meeting of the Conference of the Parties.

##### Objectives:

- To enhance the capacity of the Basel Convention regional and coordinating centres (BCRCs) to provide necessary assistance to Parties for the effective implementation of the Basel Convention and its Strategic Plan at the regional and national levels.
- To strengthen the ability of Parties to manage hazardous wastes and other wastes in an environmentally sound manner in order to protect human health and the environment.

##### Indicators of achievement:

- The effectiveness and capacity of the BCRCs to serve the Parties in their regions are enhanced.
- Priority waste streams are managed in an environmentally sound manner by an increased number of Parties.

Activity number	Activities	Expected outputs	Method of implementation internal/external	2009			2010			2011		
				Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund
19	Provide continuous guidance and assistance to BCRCs in the implementation of the Strategic Plan focus areas and in the development and effective implementation of projects and capacity-building activities contained in their business plans.	Successful implementation of three pilot projects; enhanced capacity of BCRCs to prepare project proposals; implementation by seven BCRCs of mid- to large-scale projects, subject to availability of funding; reports are put on the website for dissemination and replication.	Internal/external (funds for consultancy, staff travel and projects) <b>\$450,000 has been already pledged for 2009 by Finland</b>	1 226 000	20 000	1 206 000	776 000	20 000	756 000	30 000	30 000	–
20	Conclude negotiations on the signing of framework agreements and monitor the implementation of such agreements.	Framework Agreements signed and implemented; better service to Parties.	Internal (funds for staff travel and consultancies)	10 000	10 000	–	10 000	10 000	–	10 000	10 000	–
21	Facilitate annual meetings of BCRC directors.	Forum for exchange of information and experiences and coordination of activities; better cooperation and coordination among the regional centres.	Internal (funds for directors' travel)	50 000	–	50 000	50 000	–	50 000	50 000	–	50 000
22	Assist Parties in the review of the operation of the BCRCs, taking into account the work of the ad-hoc joint working group on cooperation and coordination among the Basel, Rotterdam and Stockholm conventions.	Review completed; enhanced and further programmatic cooperation and coordination with the Stockholm and Rotterdam Conventions; Regional centres are strengthened and sustainable.	Internal/external (funds for consultancy )	45 000	–	45 000	–	–	–	–	–	–
<b>Subtotal</b>				<b>1 331 000</b>	<b>30 000</b>	<b>1 301 000</b>	<b>836 000</b>	<b>30 000</b>	<b>806 000</b>	<b>90 000</b>	<b>40 000</b>	<b>50 000</b>

**Programme to support the implementation of the Strategic Plan focus areas**

**B1. Electrical and electronic wastes in Africa, Asia and the Pacific and Latin America**

**Mandate:**

1. Nairobi ministerial declaration on the environmentally sound management of electronic and electrical waste.
2. Decisions VIII/2, VIII/5 and VIII/33.

**Objectives:**

1. To promote the environmentally sound management of electrical and electronic waste in Africa, Asia and the Pacific and Latin America in order to protect the environment and human health, in particular vulnerable groups (women and children), and to provide economic opportunities.
2. To equip Parties with tools to enable them to address the growing problems and impacts of e-waste, including imports of hazardous e-waste.

**Indicators of achievement:**

1. Elements of the environmentally and economically sound management of e-waste developed and shared in different regions.
2. Dissemination of e-waste assessments, methodologies and experiences among participating countries and regions.
3. Increased capacity of Parties in Africa, Asia and the Pacific and Latin America to prevent illegal traffic of e-waste and benefit from economic opportunities from the environmentally sound recycling of e-waste.

Activity number	Activities	Expected outputs	Method of implementation internal/external	2009			2010			2011		
				Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund
23	Develop together with participating countries and other stakeholders a detailed inventory of e-waste and flows in and out of countries; facilitate the establishment of pilot collection, repair, refurbishment and recovery systems in Asia and the Pacific.	Guidelines used, inventory reports produced and pilot projects on environmentally sound collection, storage, repair, refurbishment and disposal of used equipment and e-waste are established.	Internal/external (funds for projects)	250 000	–	250 000	250 000	–	250 000	–	–	–
24	Conduct with countries pilot projects on the environmentally sound management of e-waste in Latin America.	Inventory reports are produced. Pilot projects are implemented.	Internal/external (funds for projects)	100 000	–	100 000	100 000	–	100 000	–	–	–

Activity number	Activities	Expected outputs	Method of implementation internal/external	2009			2010			2011		
				Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund
25	Implement the project entitled "Implementing the Nairobi Declaration in Africa: building local capacity to address the flow of e-wastes and e-equipment destined for reuse through the sustainable management of resources and the recovery of materials".	National and regional studies undertaken, public-private partnerships put in place, capacity for prevention of illegal traffic enhanced.	Internal/external (funds for projects)	505 000	–	505 000	505 000	5 000	500 000	5 000	5 000	–
Subtotal				855 000	–	855 000	855 000	5 000	850 000	5 000	5 000	–

## B2. POPs wastes (PCBs) West Africa, South America and the Mediterranean

### Mandate:

1. Decisions VI/1, VII/I, VII/3 and VIII/33.

### Objectives:

To promote ESM of PCBs through the coordinated implementation of the Basel Convention and the Stockholm Convention with particular focus on protecting the health of vulnerable groups, including women.

### Indicators of achievement:

1. Initiation of regional and national demonstration activities in West Africa, South America and the Mediterranean region and sharing of results with other regions.
2. Availability and use of guidance material and decision supportive tools for ESM of PCBs and diffusion to parties to the Basel and Stockholm conventions.
3. Recognition/strengthening of the role of BCRCs in the coordinated implementation of the Stockholm and Basel conventions.

Activity number	Activities	Expected outputs	Method of implementation internal/external	2009			2010			2011		
				Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund
26	Collaborate with UNEP and BCRC-Dakar as executing agency for the implementation of the Project entitled "Demonstration of a regional approach in West Africa for the ESM of PCBs". Full-sized phase of a GEF co-funded project, duration 4 years, total estimated budget \$15,971,257 (including \$5,928,714 from GEF)	Economically viable, environmentally sound and socially acceptable demonstration activities for the collection, transport and decontamination of PCB-containing equipment are carried out.	Internal/external. Co-executed by BCRC-Senegal and other United Nations agencies, with technical and institutional support from SBC	5 000	–	5 000	5 000	–	5 000	–	–	–
27	Collaborate with UNEP and BCRC-Argentina as executing agency for the implementation of the Project entitled "Regional approaches towards best practices on PCB management in South America". Medium-sized phase of a GEF co-funded project, duration 2 years, total estimated budget \$1,600,000 (including \$685,000 from GEF).	National approaches coordinated at the sub-regional level regarding storage and transport of PCB waste. Identification of best practices on ESM in the sense of the BC and the SC and diffusion in the region and other regions.	Internal/external. Executed by BCRC-Argentina with technical and institutional support from SBC	5 000	–	5 000	5 000	–	5 000	–	–	–
28	Conduct training programme for ESM of POPs waste in accordance with the Basel Convention technical guidelines on POPs as waste.	Two regional training programmes are implemented and assistance is provided for the preparation of ESM plans for POPs waste. Tools and training materials are developed and disseminated to different sectors and in different regions.	Internal/external (funds for projects). Funded by the World Bank	120 000	–	120 000	120 000	–	120 000	–	–	–
<b>Subtotal</b>				<b>130 000</b>	<b>–</b>	<b>130 000</b>	<b>130 000</b>	<b>–</b>	<b>130 000</b>	<b>–</b>	<b>–</b>	<b>–</b>

### B3. Obsolete stocks of pesticides in the Caribbean

#### Mandate:

1. Decisions VI/1, VII/I, VII/3 and VIII/33.

#### Objectives:

To facilitate the implementation of the regional strategy for the final disposal of obsolete pesticides in the Caribbean and the prevention of future accumulation.

#### Indicators of achievement:

1. A stakeholder approach is developed and the regional strategy is funded and implemented.
2. All obsolete pesticides are removed and disposed of.
3. A prevention programme is put in place.

Activity number	Activities	Expected outputs	Method of implementation internal/external	2009			2010			2011		
				Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund
29	Assist Parties in implementing the regional strategy for ESM of obsolete pesticides and the prevention of their future accumulation in Caribbean island States.	Training programme by BCRC-Trinidad and Tobago for the final disposal of obsolete pesticides and the prevention of future accumulation.	Internal/external (funds for staff travel, consultancy and projects)	217 000	–	217 000	217 000	–	217 000	–	–	–
Subtotal				217 000	–	217 000	217 000	–	217 000	–	–	–

### B4. Biomedical and healthcare waste in Africa, Asia and the Pacific, Central and Eastern Europe and Latin America and the Caribbean

#### Mandate:

1. Decisions VI/20, VII/16 and VIII/33.

#### Objectives:

To promote the environmentally sound management of biomedical and health care wastes to protect human health, in particular of vulnerable groups, including women and children.

#### Indicators of achievement:

1. Active dissemination of the technical guidelines on ESM of biomedical and healthcare wastes, the guidance manual and relevant publications of the World Health Organization.
2. Increased capacity of Parties on the practical aspects of waste management pertaining to ESM of biomedical and health-care wastes.

Activity number	Activities	Expected outputs	Method of implementation internal/external	2009			2010			2011		
				Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund
30	Carry out practical training workshops focusing on the segregation and treatment of hazardous biomedical and health-care wastes using the technical guidelines on ESM of biomedical and healthcare wastes and other relevant publications.	Five regional workshops (one in each United Nations region) are carried out in cooperation with the BCRCs and the World Health Organization (WHO); results of the pilot projects carried out in Africa and Central Europe* are disseminated.	Internal/external (funds for staff travel and workshops for 80 and 120 participants in 2009 and 2010 respectively)	280 000	–	280 000	410 000	–	410 000	–	–	–

\* Project currently being implemented with contribution of 30,000 euros from Italy.

<b>Subtotal</b>	<b>280 000</b>	<b>–</b>	<b>280 000</b>	<b>410 000</b>	<b>–</b>	<b>410 000</b>	<b>–</b>	<b>–</b>	<b>–</b>
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**B5. Used lead-acid batteries (ULAB) in Asia, Latin America and the Caribbean and the Mediterranean region.**

**Mandate:**

1. Decisions VI/1, VII/1, VII/3 and VIII/33.

**Objectives:**

To promote ESM of ULAB with particular emphasis on the protection of the health of vulnerable groups through the development of regional approaches in several parts of the world.

**Indicators of achievement:**

1. Regional strategy for ESM of ULAB in Central America, Colombia, Bolivarian Republic of Venezuela and Caribbean island States is funded and implemented through a stakeholder approach that includes industry.
2. Development and endorsement of a regional strategy for ESM of ULAB in the Mediterranean or Asia.



Activity number	Activities	Expected outputs	Method of implementation internal/external	2009			2010			2011		
				Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund
31	Assist BCRCs in implementing the regional strategy for ESM of ULAB in Central America, Colombia, Bolivarian Republic of Venezuela and Caribbean island States.*	The national plans for ESM of ULAB in participating countries are implemented in the context of the regional strategy. A regional certification scheme for ESM of ULAB is developed and put in place.	Internal/external (funds for staff travel, consultancy and projects).	617 000	–	617 000	417 000	–	417 000	–	–	–

\*The non-staff costs indicated refer to those activities that would be funded under the BD Trust Fund. They do not represent the total cost of the project.

<b>Subtotal</b>	<b>617 000</b>	<b>–</b>	<b>617 000</b>	<b>417 000</b>	<b>–</b>	<b>417 000</b>	<b>–</b>	<b>–</b>	<b>–</b>
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#### B7. Dismantling of ships

##### Mandate:

Decisions V/28, VI/24, VII/26, VII/3, VIII/11; related decisions of the Open-ended Working Group.

##### Objectives:

1. To minimize the harmful consequences for human health and the environment of ship dismantling by promoting safe and environmentally sound ship dismantling practices, including the environmentally sound disposal of hazardous and other wastes generated by ship dismantling.

2. To develop clarity as to the control mechanisms applicable to ships destined for dismantling under the Basel Convention.

##### Indicators of achievement:

1. Effective and collaborative working relationships are established with IMO and ILO and outputs from cooperative activities promoting environmentally sound ship dismantling provide added value.
2. The scope of operation of the Basel Convention in relation to ship dismantling, following the anticipated adoption of the IMO International Convention on the Safe and Environmentally Sound Recycling of Ships in 2009, is clarified at COP10.

Activity number	Activities	Expected outputs	Method of implementation internal/external	2009			2010			2011		
				Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund
35	Assist Parties and other stakeholders in conducting training and other activities that will promote environmentally sound ship dismantling; facilitate exchanges of expertise and experience between relevant stakeholders to promote safe and environmentally sound ship dismantling.	Technical workshops and other activities are carried out and guidance materials, including training materials, are developed; linkages are established between relevant stakeholders.	Internal/external (funds for consultancy, staff travel and projects)	183 000	20 000	163 000	183 000	20 000	163 000	20 000	20 000	-
Subtotal				183 000	20 000	163 000	183 000	20 000	163 000	20 000	20 000	-

**B8. Cooperation with municipalities and development of a programme for the co-processing of hazardous waste and other waste.**

**Mandate:**

1. Decisions VI/1, VIII/1, VII/3, VIII/33; UNEP Governing Council decision 24/5.

**Objectives:**

1. To promote ESM of hazardous waste and other waste and the efficient use of energy in existing facilities in developing countries.
2. To promote the integrated management of hazardous waste and other waste in urban areas.

**Indicators of achievement:**

1. Criteria are developed for the environmentally sound co-processing of hazardous waste and other waste in the context of the Basel Convention.
2. A programme is developed and funded by a large array of stakeholders, including Governments, industry, non-governmental organizations and technical institutions.

Activity number	Activities	Expected outputs	Method of implementation internal/external	2009			2010			2011		
				Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund
36	Develop and coordinate Basel Convention programme on co-processing by following a stakeholder approach.	Demonstration activities are undertaken and can be referred to for replication. Guidance material on ESM is developed and shared with parties to the Basel Convention.	Internal/external (funds for staff travel, consultancy and project); funding expected from industries	115 000	–	115 000	115 000	–	115 000	–	–	–
37	Develop a programme on ESM of hazardous waste and other wastes in urban areas	Two regional training workshops are organized by the United Nations Institute for Training and Research and BCRCs	Internal/external (funds for staff travel, consultancy and project)	5 000	–	5 000	–	–	–	–	–	–
<b>Subtotal</b>				<b>120 000</b>	<b>–</b>	<b>120 000</b>	<b>115 000</b>	<b>–</b>	<b>115 000</b>	<b>–</b>	<b>–</b>	<b>–</b>

#### B9. Asbestos wastes and mercury wastes

##### Mandate:

Decision VIII/33 as it relates to mercury and asbestos wastes as new Strategic Plan focus areas.

##### Objectives:

1. To promote ESM of asbestos wastes and mercury wastes taking into account vulnerable populations and local needs and conditions.

##### Indicators of achievement:

1. Improved public awareness regarding the adverse effects of asbestos and mercury.
2. Increased national capacity to manage mercury and asbestos wastes in an environmentally sound manner.
3. Development of international or regional cooperation.
4. Field experience/lessons learned are considered in preparation of technical guidelines on mercury wastes.

Activity number	Activities	Expected outputs	Method of implementation internal/external	2009			2010			2011		
				Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund
39	Facilitate the implementation by BCRCs of pilot projects on ESM of mercury wastes in the health sector in several countries in Latin America and the Caribbean (3-4) and in Asia and the Pacific (3).	Country assessments are undertaken and management plans are developed. Methodology on ESM is developed with relevant stakeholders, including WHO, for possible use in other countries/regions.	Internal/external; (pilot projects in Asia and the Pacific funded by UNEP Chemicals)	130 000	–	130 000	120 000	–	120 000	–	–	–
<b>Subtotal</b>				<b>130 000</b>	<b>–</b>	<b>130 000</b>	<b>120 000</b>	<b>–</b>	<b>120 000</b>	<b>–</b>	<b>–</b>	<b>–</b>

**B10. Enforcement activities****Mandate:**

1. Article 16 of the Convention.
2. Decisions VIII/24 and VIII/26.

**Objectives:**

1. To enhance the capacity of the Parties to enforce the provisions of the Basel Convention on the monitoring and control of transboundary movements of hazardous waste, including through the coordinated implementation of multilateral environmental agreements on hazardous wastes and chemicals.

**Indicators of achievement:**

1. Adequate tools and methodologies tailored to the needs of developing countries are developed and tested.
2. Cases of illegal traffic decrease while sharing of information between customs authorities of Parties increases.

Activity number	Activities	Expected outputs	Method of implementation internal/external	2009			2010			2011		
				Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund
40	Implement the project aimed at strengthening the legislative, regulatory and enforcement capacity of least developed countries, land-locked developing countries and small-island developing States.	Implementation of the project is initiated in specific countries/regions and may include gaps and needs analysis, strengthening of regulatory framework and legislative measures and enhancing implementation and enforcement capacity.	Internal/external (funds for consultancy and a training activity for a sub-region)	70 000	–	70 000	70 000	–	70 000	–	–	–
41	Assist in the implementation of the UNEP/SBC master plan on the follow up to the Probo Koala incident in Côte d'Ivoire and the sub-region. Project to be implemented in 2008–2010. Total estimated costs \$2,520,000 (UNEP Trust Fund for Côte d'Ivoire).	Preparation and implementation of a technical plan for ESM of ship-generated waste in the port of Abidjan. Development of an inventory of hazardous waste in Côte d'Ivoire. Implementation by BCRCs of a subregional training programme on the monitoring and control of transboundary movements of hazardous wastes.	Internal/external (funds for staff travel) Executed by UNEP Disaster Management Bureau, BCRC-Senegal and BCRC-Nigeria, funded through UNEP with technical and institutional support from SBC.	5 000	–	5 000	5 000	–	5 000	–	–	–
42	Assist BCRCs in developing and implementing training and enforcement activities on the control of transboundary movements of hazardous waste.	In collaboration with other MEAs and organizations (e.g., Stockholm and Rotterdam Conventions; WCO, Interpol and UNEP DELC and other UNEP divisions) and through Green Customs, tools and training activities are developed. Two training workshops are organized by BCRCs with expertise provided by SBC.	Internal/external BCRCs	230 000	–	230 000	230 000	–	230 000	–	–	–
<b>Subtotal</b>				<b>305 000</b>	<b>–</b>	<b>305 000</b>	<b>305 000</b>	<b>–</b>	<b>305 000</b>	<b>–</b>	<b>–</b>	<b>–</b>

**Knowledge management and outreach****a. Management and circulation of information submitted by Parties in accordance with their obligations under the Convention****(i) National reporting****Mandate:**

1. Articles 13 (3) and 16 (1) (b) of the Convention.
2. Decision VIII/14.

**Objective:**

To develop further and maintain the comprehensive information source on the control of transboundary movements of hazardous wastes and other wastes and their disposal.

**Indicators of achievement:**

1. Enhanced quality of data and information on the control of transboundary movements of hazardous wastes and other wastes and their disposal.
2. Increase in the number of Parties complying with reporting requirements.
3. Improved accessibility to data and information through the online reporting database of the Convention.

	Activities	Expected outputs	Method of implementation internal/external	2009			2010			2011		
				Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund
43	Collection, quality control, organization, follow-up and preparation of compilations of the annual data and information transmitted by Parties.	Forum for exchange of information among Parties and others. Dissemination of current information in user-friendly manner. Reports to COP.	Internal	–	–	–	–	–	–	–	–	–
44	Validation and entry of data and information in to the reporting database; translation of the content of national reports into English if transmitted in any official language of the United Nations other than English and entry of translated texts into the reporting database.	Up-to-date and user-friendly online reporting database on the Convention website.	Internal (funds required for translation and information systems)	65 000	20 000	45 000	65 000	20 000	45 000	65 000	20 000	45 000

	Activities	Expected outputs	Method of implementation internal/external	2009			2010			2011		
				Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund
45	Enhance Parties' ability to comply with their national reporting obligations.	Guidance is provided to Parties on reporting issues. Annual regional workshops are organized through BCRS or by other appropriate means to provide training to Parties needing assistance to meet their reporting obligations.	Internal (funds for organization of workshops)	60 000	–	60 000	60 000	–	60 000	–	–	–
Subtotal				125 000	20 000	105 000	125 000	20 000	105 000	65 000	20 000	45 000

**National definitions of hazardous wastes; prohibition of imports of hazardous wastes or other wastes; bilateral, multilateral and regional agreements or arrangements regarding transboundary movement.**

**Mandate:**

- Articles 3, 4 (1), 11 and 16 (1) (b) of the Convention.
- Decisions VIII/27 and VIII/28.

**Objective:**

To develop further and maintain the comprehensive information source on (i) national definitions of hazardous wastes, (ii) prohibition of imports of hazardous wastes or other wastes and (iii) bilateral, multilateral and regional agreements or arrangements regarding transboundary movements hazardous wastes or other wastes.

**Indicators of achievement:**

- Informed decisions are made by Parties concerning transboundary shipments of hazardous wastes and other wastes.
- The number of notifications transmitted by Parties complying with the requirement of articles 3, 4 (1) and 11 increases.
- Parties and other are provided with tools to reduce and prevent illegal traffic in hazardous wastes and other wastes.

Activity number	Activities	Expected outputs	Method of implementation internal/external	2009			2010			2011		
				Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund
46	Collection, quality control, organization and follow-up of the information transmitted by Parties pursuant to articles 3, 4 (1) and 11; preparation and transmission of communications to Parties advising of the receipt of notifications of national definitions of hazardous wastes, prohibition of hazardous or other waste imports and bilateral, multilateral and regional agreements or arrangements regarding transboundary movements of hazardous wastes or other wastes.	Dissemination of current information in user-friendly manner. Forum for exchange of information. Notifications are available on the Basel Convention website in six official languages of the United Nations, depending on the availability of resources. Reports to COP.	Internal (funds for translation)	70 000	–	70 000	70 000	–	70 000	–	–	–
Subtotal				70 000	–	70 000	70 000	–	70 000	–	–	–

#### b. Publications, public information and outreach

##### Mandate:

Article 16 (g) of the Convention.

##### Objectives:

1. To raise awareness and provide information about the Basel Convention so that it is understood to be the global instrument for regulating transboundary movements of hazardous and other wastes and for ensuring the environmentally sound management of hazardous and other wastes.

##### Indicators of achievement:

- Continually increasing interest and understanding by Parties, media, non-governmental organizations and the public of the aims and programmes of the Basel Convention.
- Quantified and qualified overall client satisfaction through feedback to the Secretariat about SBC information products.



Activity number	Activities	Expected outputs	Method of implementation internal/external	2009			2010			2011		
				Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund
47	As part of communication strategy, produce and disseminate Basel Convention outreach tools (audio-visual and printed) to promote awareness and necessary information about the Basel Convention, BCRCS, activities and meetings.	Integration of the communication strategy into work done by SBC and Parties at the regional and national levels. Greater awareness of the Basel Convention among all in target audience achieved through production and dissemination of videos, posters, exhibition structures, leaflets, brochures, photo archive, SBC presentation and the Basel Convention Bulletin and joint tool kit with other MEAs.	Internal (funds required for designing, translating, producing and distributing products each year), cooperation with other MEAs and organizations	25 000	15 000	10 000	25 000	15 000	10 000	25 000	15 000	10 000
48	Produce and maintain stocks of legal and technical publications.	Availability of electronic and printed versions of SBC legal and technical publications (text of the Convention, technical guidelines) for end users.	Internal (funds required for reproduction of publications)	10 000	10 000	–	10 000	10 000	–	10 000	10 000	–
49	Operate a media query desk, produce press releases, manage press relations for major SBC meetings, monitor media coverage for increased visibility of Basel Convention among media community.	Responses provided to media queries. Press briefings and press releases.	Internal (funds for basic design and printing)	–	–	–	–	–	–	–	–	–
50	Maintenance and continuous development of SBC website with increased use of database platform, including SBC archives, official reference documents and lists, comprehensive information on all SBC programmes and activities, all legal and technical information and updates, media section and virtual library with access to publications.	A constantly improving SBC website which meets the needs of the Parties and provides useful information to other target audiences such as the media, students, industry or the general public.	Internal (funds required for basic design)	10 000	10 000	–	10 000	10 000	–	10 000	10 000	–

Activity number	Activities	Expected outputs	Method of implementation internal/external	2009			2010			2011		
				Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund
51	Production of special publications to promote the issues covered by the Basel Convention.  Information material for 2009 commemorative events.	Comprehensive and user-friendly information produced electronically and in printed form to illustrate Basel Convention facts and statistics for all targeted audiences. Joint project with UNEP/Grid-Arendal. Vital Waste Graphics III and regular information papers on Basel Convention issues of special interest. Special film and exhibition structure for 2009 commemorative events.	Internal (funds required for external designers, printers and staff travel))	35 000	10 000	25 000	–	–	–	75 000	–	75 000
52	Organization of non-governmental organization workshop at COP meeting in 2011.	Increase attendance at COP and increased awareness of Basel Convention by non-governmental organization community.	Internal (funds required for travel of 15 participants and production of information material)	–	–	–	–	–	–	50 000	–	50 000
<b>Subtotal</b>				<b>80 000</b>	<b>45 000</b>	<b>35 000</b>	<b>45 000</b>	<b>35 000</b>	<b>10 000</b>	<b>170 000</b>	<b>35 000</b>	<b>135 000</b>

#### Executive direction, management and strategic planning

##### Mandate:

Article 16 of the Convention.

Relevant decisions of the Conference of the Parties and its subsidiary bodies.

##### Objectives:

1. To ensure an efficient, effective and timely delivery of the programme of work of the Secretariat for 2009–2010
2. Increased amount of positive feedback from Parties, signatories and others on the substance and organizational support provided by the Secretariat.

##### Indicators of achievement:

1. Procedures are in place to ensure the implementation of the Secretariat's programme of work in a cost-efficient and timely manner.

Activity number	Activities	Expected outputs	Method of implementation internal/external	2009			2010			2011		
				Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund
53	Provide overall management of the Secretariat ensuring coherence in its work and responsiveness to the needs and instructions of the Parties. Coordinate the implementation of agreed work programmes at the unit level, planning the distribution and coordination of tasks assigned with unit staff. Contribute to the development of the new strategic framework.	Effective and efficient delivery by the Secretariat of the outputs envisaged under its programme of work for 2009–2011.	Internal	–	–	–	–	–	–	–	–	–
54	Enhance cooperation and coordination with other MEAs and intergovernmental organizations on issues of common concern.	Effective and collaborative relationships are established with other institutions and outputs from cooperative activities provide added value. Delivery of technical assistance and capacity-building is coordinated and complements that of other organizations.	Internal (funds for staff travel)	40 000	40 000	–	40 000	40 000	–	40 000	40 000	–
55	Implement COP decisions based upon the recommendations of the ad hoc joint working group on enhanced cooperation and coordination among the Basel, Rotterdam and Stockholm Conventions.	Decisions of the COP on cooperation and coordination among the Basel, Rotterdam and Stockholm Conventions requiring action from the Secretariat are implemented.	Internal	–	–	–	–	–	–	–	–	–
56	Contribute to ongoing discussions at United Nations Headquarters and UNEP on United Nations system-wide coherence. Participate in meetings of relevant bodies such as the conferences of Parties to related MEAs and the Governing Council of UNEP.	Decisions of the Basel Convention are taken into account by the Governing Council of UNEP	Internal (funds for staff travel)	20 000	20 000	–	20 000	20 000	–	20 000	20 000	–
<b>Subtotal</b>				<b>60 000</b>	<b>60 000</b>	<b>–</b>	<b>60 000</b>	<b>60 000</b>	<b>–</b>	<b>60 000</b>	<b>60 000</b>	<b>–</b>

## Office equipment and services

Activity number	Activities	Expected outputs	Method of implementation internal/external	2009			2010			2011		
				Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund
58	Procurement of office equipment including computer software and hardware, required licenses, furniture and supplies; rental and maintenance of equipment including photocopiers and communications equipment; rental of offices; use of electricity, cleaning services and communications.	Effective and efficient delivery by the Secretariat of the outputs envisaged under its programme of work for 2009–2011.	Internal/external	305 300	305 300	–	305 300	305 300	–	305 300	305 300	–
<b>Subtotal</b>				<b>305 300</b>	<b>305 300</b>	<b>–</b>	<b>305 300</b>	<b>305 300</b>	<b>–</b>	<b>305 300</b>	<b>305 300</b>	<b>–</b>

**Table 2**  
**Programme budget for 2009–2011**

Budget to be financed from the BC Trust Fund				Programme budget approved at COP8				Programme budget proposal for COP9				
				2007	2008	Biennium		2009		2010	2011	
10 PERSONNEL COMPONENT												
1100 Professional staff												
1199 Subtotal Professional staff				1 505 150	1 703 218	3 208 368		1 932 500	2 009 800	2 090 192		6 032 492
1200 Consultants												
1201 General consultancies												
1299 Subtotal consultants				300 000	260 000	560 000		100 000	100 000	100 000		300 000
1300 Administrative support												
1329 Subtotal, administrative support				696 000	634 862	1 330 862		780 000	810 000	841 200		2 431 200
Conference servicing costs												
1321 Conference of the Parties (\$345,000 for conference servicing plus \$330,000 for translation and editing of 500 pages)				—	600 000	600 000		—	175 000	500 000		675 000
1322 Open-ended Working Group seventh meeting (only conference servicing, not including translation)				275 000	—	275 000		300 000	32 000	—		332 000
1325 Expanded Bureau (in English only – two meetings per triennium)				2 000	2 000	4 000		—	—	—		—
1326 Committee for administering the mechanisms for implementation and compliance (English only; two meetings per triennium)				2 000	2 000	4 000		—	—	—		—
1327 Open-ended Working Group seventh meeting (translation and editing of 300 pages or less)				125 000	—	125 000		—	198 000	—		198 000
1399 Subtotal administrative support and conference servicing costs				1 100 000	1 238 862	2 338 862		1 080 000	1 215 000	1 341 200		3 636 200

			Programme budget approved at COP8			Programme budget proposal for COP9			
1600	Travel on official business								
1601	Official travel		175 000	150 000	325 000	175 000	180 000	190 000	545 000
1699	Total travel on official business		175 000	150 000	325 000	175 000	180 000	190 000	545 000
1999	TOTAL STAFF COMPONENT		3 080 150	3 352 080	6 432 230	3 287 500	3 504 800	3 721 392	10 513 692
20	SUBCONTRACT COMPONENT								
2100	Subcontracts component								
2101	Information system		20 000	20 000	40 000	20 000	20 000	20 000	60 000
2199	Subtotal subcontracts - non-commercial		20 000	20 000	40 000	20 000	20 000	20 000	60 000
2999	TOTAL SUBCONTRACT COMPONENT		20 000	20 000	40 000	20 000	20 000	20 000	60 000
30	MEETINGS AND CONFERENCES								
3300	Travel and DSA costs of participants								
3303	Expanded Bureau (English only) – Two meetings over the triennium (nine travels per meeting)		32 400	32 400	64 800	32 000	–	32 000	64 000
3304	Committee for administering the mechanisms for implementation and compliance (English only) – Two meetings over the triennium (seven travels per meeting)		25 200	25 200	50 400	–	28 000	28 000	56 000
3399	Subtotal meetings and conferences		57 600	57 600	115 200	32 000	28 000	60 000	120 000
3999	TOTAL MEETINGS AND CONFERENCES		57 600	57 600	115 200	32 000	28 000	60 000	120 000
40	EQUIPMENT AND PREMISES COMPONENT								
4100	Expendable equipment								
4101	Office supplies, library acquisitions and computer software		24 500	24 500	49 000	24 500	24 500	24 500	73 500
4199	Subtotal expendable equipment		24 500	24 500	49 000	24 500	24 500	24 500	73 500

		Programme budget approved at COP8			Programme budget proposal for COP9			
4200	Non-expendable equipment							
	Computer equipment, printers, furniture, multimedia and others	20 000	20 000	40 000	20 000	20 000	20 000	60 000
4299	Subtotal non-expendable equipment	20 000	20 000	40 000	20 000	20 000	20 000	60 000
4300	Premises							
	Office space fees, building maintenance, security, utilities and insurance	110 000	110 000	220 000	110 000	110 000	110 000	330 000
4399	Total premises	110 000	110 000	220 000	110 000	110 000	110 000	330 000
4999	TOTAL EQUIPMENT AND PREMISES COMPONENT	154 500	154 500	309 000	154 500	154 500	154 500	463 500
50	MISCELLANEOUS COMPONENT							
5100	Operation and maintenance of equipment							
	Computers, printers, photocopiers and other	71 300	71 300	142 600	71 300	71 300	71 300	213 900
5199	Subtotal maintenance of equipment	71 300	71 300	142 600	71 300	71 300	71 300	213 900
5200	Reporting costs							
	Newsletters, publications and other media	55 000	55 000	110 000	45 000	35 000	35 000	115 000
5299	Subtotal reporting costs	55 000	55 000	110 000	45 000	35 000	35 000	115 000
5300	Sundry							
	Communications, freight and other	70 000	70 000	140 000	70 000	70 000	70 000	210 000
5399	Subtotal sundry	70 000	70 000	140 000	70 000	70 000	70 000	210 000
5400	Hospitality							
	Hospitality	9 500	9 500	19 000	9 500	9 500	9 500	28 500
5499	Subtotal hospitality	9 500	9 500	19 000	9 500	9 500	9 500	28 500

5999 TOTAL MISCELLANEOUS COMPONENT		Programme budget approved at COP8				Programme budget proposal for COP9						
		205 800	205 800	411 600		195 800		185 800	185 800		567 400	
99 TOTAL OPERATIONAL COSTS												
		3 518 050	3 789 980	7 308 030		3 689 800		3 893 100	4 141 692		11 724 592	
		13% programme support costs	457 347	492 697	950 044		479 674		506 103	538 420		1 524 197
		TOTAL BUDGET OF THE TRUST FUND	3 975 397	4 282 677	8 258 074		4 169 474		4 399 203	4 680 112		13 248 789
* Posts funded by UNEP from the 13% programme support costs												
Percentage increase from year to year		-9.7	7.7	-5.0		-2.7		5.2	6.0			
Deduction from the Reserve and Fund Balance		170 000	315 000	485 000		–		–	–		–	
Increase in working capital reserve						19 525					19 525	
COVERED BY PARTIES		3 805 397	3 967 677	7 773 074		4 188 999		4 399 203	4 680 112		13 268 314	
Percentage increase in contributions from year to year		0.00	4.30	9.60		5.6		4.8	6.0			
Working capital reserve based on average budgets for 2007–2008 (15%)			642 914									
						977 300		1 073 300	1 210 300			
Working capital reserve based on average operational budgets for 2009–2011 (15%)						662 439						



**Table 3**

**Staffing table for the Basel Convention Secretariat for the triennium 2009–2011**  
**Basel Convention Trust Fund**

Post category and level		2009	2010	2011
A.	Professional category			
	D-1	1	1	1
	P-5	3	3	3
	P-4*	3	3	3
	P-3	3	3	3
	P-2	2	2	2
	<b>Subtotal</b>	12	12	12
B.	General Service category**	8	8	8
	<b>Total (A + B)</b>	<b>20</b>	<b>20</b>	<b>20</b>

\* One post is funded is funded by UNEP from the 13% programme support costs.

\*\* Two posts are funded by UNEP from the 13% programme support costs.

**Table 4****Trust Fund for the Basel Convention on Transboundary Movements of Hazardous Wastes and their Disposal**

Scale of contributions for 2009–2010 in United States dollars for the programme budget for the triennium 2009–2011

No.	Party	United Nations scale of assessments for 2009*	Adjusted scale of contributions with 22 per cent ceiling and no LDC paying more than 0.01 per cent	Annual contributions for 2009	Annual contributions for 2010	Annual contributions for 2011
		(per cent)				
1	Albania	0.006	0.0075	314	330	351
2	Algeria	0.085	0.1063	4 455	4 678	4 977
3	Andorra	0.008	0.0100	419	440	468
4	Antigua and Barbuda	0.002	0.0025	105	110	117
5	Argentina	0.325	0.4066	17 032	17 887	19 029
6	Armenia	0.002	0.0025	105	110	117
7	Australia	1.787	2.2357	93 652	98 352	104 632
8	Austria	0.887	1.1097	46 485	48 818	51 935
9	Azerbaijan	0.005	0.0063	262	275	293
10	Bahamas	0.016	0.0200	839	881	937
11	Bahrain	0.033	0.0413	1 729	1 816	1 932
12	Bangladesh	0.010	0.0125	524	550	586
13	Barbados	0.009	0.0113	472	495	527
14	Belarus	0.020	0.0250	1 048	1 101	1 171
15	Belgium	1.102	1.3787	57 753	60 651	64 524
16	Belize	0.001	0.0013	52	55	59
17	Benin	0.001	0.0013	52	55	59
18	Bhutan	0.001	0.0013	52	55	59
19	Bolivia	0.006	0.0075	314	330	351
20	Bosnia and Herzegovina	0.006	0.0075	314	330	351
21	Botswana	0.014	0.0175	734	771	820
22	Brazil	0.876	1.0959	45 909	48 213	51 291
23	Brunei Darussalam	0.026	0.0325	1 363	1 431	1 522
24	Bulgaria	0.020	0.0250	1 048	1 101	1 171
25	Burkina Faso	0.002	0.0025	105	110	117

No.	Party	United Nations scale of assessments for 2009*	Adjusted scale of contributions with 22 per cent ceiling and no LDC paying more than 0.01 per cent	Annual contributions for 2009	Annual contributions for 2010	Annual contributions for 2011
26	Burundi	0.001	0.0013	52	55	59
27	Cambodia	0.001	0.0013	52	55	59
28	Cameroon	0.009	0.0113	472	495	527
29	Canada	2.977	3.7244	156 017	163 846	174 308
30	Cape Verde	0.001	0.0013	52	55	59
31	Chad	0.001	0.0013	52	55	59
32	Central African Republic	0.001	0.0013	52	55	59
33	Chile	0.161	0.2014	8 438	8 861	9 427
34	China	2.667	3.3366	139 771	146 785	156 157
35	Colombia	0.105	0.1314	5 503	5 779	6 148
36	Comoros	0.001	0.0013	52	55	59
37	Congo	0.001	0.0013	52	55	59
38	Cook Islands	0.001	0.0013	52	55	59
39	Costa Rica	0.032	0.0400	1 677	1 761	1 874
40	Côte d'Ivoire	0.009	0.0113	472	495	527
41	Croatia	0.050	0.0626	2 620	2 752	2 928
42	Cuba	0.054	0.0676	2 830	2 972	3 162
43	Cyprus	0.044	0.0550	2 306	2 422	2 576
44	Czech Republic	0.281	0.3516	14 727	15 465	16 453
45	Democratic Republic of the Congo	0.003	0.0038	157	165	176
46	Denmark	0.739	0.9245	38 729	40 673	43 270
47	Djibouti	0.001	0.0013	52	55	59
48	Dominica	0.001	0.0013	52	55	59
49	Dominican Republic	0.024	0.0300	1 258	1 321	1 405
50	Ecuador	0.021	0.0263	1 101	1 156	1 230
51	Egypt	0.088	0.1101	4 612	4 843	5 153
52	El Salvador	0.020	0.0250	1 048	1 101	1 171
53	Equatorial Guinea	0.002	0.0025	105	110	117
54	Eritrea	0.001	0.0013	52	55	59
55	Estonia	0.016	0.0200	839	881	937

No.	Party	United Nations scale of assessments for 2009*	Adjusted scale of contributions with 22 per cent ceiling and no LDC paying more than 0.01 per cent	Annual contributions for 2009	Annual contributions for 2010	Annual contributions for 2011
56	Ethiopia	0.003	0.0038	157	165	176
57	Finland	0.564	0.7056	29 558	31 041	33 023
58	France	6.301	7.8830	330 220	346 790	368 934
59	Gambia	0.001	0.0013	52	55	59
60	Georgia	0.003	0.0038	157	165	176
61	Germany	8.577	10.7305	449 499	472 055	502 198
62	Ghana	0.004	0.0050	210	220	234
63	Greece	0.596	0.7456	31 235	32 802	34 897
64	Guatemala	0.032	0.0400	1 677	1 761	1 874
65	Guinea	0.001	0.0013	52	55	59
66	Guinea-Bissau	0.001	0.0013	52	55	59
67	Guyana	0.001	0.0013	52	55	59
68	Honduras	0.005	0.0063	262	275	293
69	Hungary	0.244	0.3053	12 787	13 429	14 287
70	Iceland	0.037	0.0463	1 939	2 036	2 166
71	India	0.450	0.5630	23 583	24 767	26 348
72	Indonesia	0.161	0.2014	8 438	8 861	9 427
73	Iran (Islamic Republic of)	0.180	0.2252	9 433	9 907	10 539
74	Ireland	0.445	0.5567	23 321	24 492	26 056
75	Israel	0.419	0.5242	21 959	23 061	24 533
76	Italy	5.079	6.3542	266 178	279 535	297 384
77	Jamaica	0.010	0.0125	524	550	586
78	Japan	16.624	20.7979	871 222	914 940	973 363
79	Jordan	0.012	0.0150	629	660	703
80	Kazakhstan	0.029	0.0363	1 520	1 596	1 698
81	Kenya	0.010	0.0125	524	550	586
82	Kiribati	0.001	0.0013	52	55	59
83	Kuwait	0.182	0.2277	9 538	10 017	10 656
84	Kyrgyzstan	0.001	0.0013	52	55	59
85	Latvia	0.018	0.0225	943	991	1 054
86	Lebanon	0.034	0.0425	1 782	1 871	1 991

No.	Party	United Nations scale of assessments for 2009*	Adjusted scale of contributions with 22 per cent ceiling and no LDC paying more than 0.01 per cent	Annual contributions for 2009	Annual contributions for 2010	Annual contributions for 2011
87	Lesotho	0.001	0.0013	52	55	59
88	Liberia	0.001	0.0013	52	55	59
89	Libyan Arab Jamahiriya	0.062	0.0776	3 249	3 412	3 630
90	Liechtenstein	0.010	0.0125	524	550	586
91	Lithuania	0.031	0.0388	1 625	1 706	1 815
92	Luxembourg	0.085	0.1063	4 455	4 678	4 977
93	Madagascar	0.002	0.0025	105	110	117
94	Malawi	0.001	0.0013	52	55	59
95	Malaysia	0.190	0.2377	9 957	10 457	11 125
96	Maldives	0.001	0.0013	52	55	59
97	Mali	0.001	0.0013	52	55	59
98	Malta	0.017	0.0213	891	936	995
99	Marshall Islands	0.001	0.0013	52	55	59
100	Mauritania	0.001	0.0013	52	55	59
101	Mauritius	0.011	0.0138	576	605	644
102	Mexico	2.257	2.8237	118 284	124 219	132 151
103	Micronesia (Federated States of)	0.001	0.0013	52	55	59
104	Monaco	0.003	0.0038	157	165	176
105	Moldova	0.001	0.0013	52	55	59
106	Mongolia	0.001	0.0013	52	55	59
107	Montenegro	0.001	0.0013	52	55	59
108	Morocco	0.042	0.0525	2 201	2 312	2 459
109	Mozambique	0.001	0.0013	52	55	59
110	Namibia	0.006	0.0075	314	330	351
111	Nauru	0.001	0.0013	52	55	59
112	Nepal	0.003	0.0038	157	165	176
113	Netherlands	1.873	2.3433	98 159	103 085	109 667
114	New Zealand	0.256	0.3203	13 416	14 090	14 989
115	Nicaragua	0.002	0.0025	105	110	117
116	Niger	0.001	0.0013	52	55	59

No.	Party	United Nations scale of assessments for 2009*	Adjusted scale of contributions with 22 per cent ceiling and no LDC paying more than 0.01 per cent	Annual contributions for 2009	Annual contributions for 2010	Annual contributions for 2011
117	Nigeria	0.048	0.0601	2 516	2 642	2 810
118	Norway	0.782	0.9783	40 983	43 039	45 787
119	Oman	0.073	0.0913	3 826	4 018	4 274
120	Pakistan	0.059	0.0738	3 092	3 247	3 455
121	Panama	0.023	0.0288	1 205	1 266	1 347
122	Papua New Guinea	0.002	0.0025	105	110	117
123	Paraguay	0.005	0.0063	262	275	293
124	Peru	0.078	0.0976	4 088	4 293	4 567
125	Philippines	0.078	0.0976	4 088	4 293	4 567
126	Poland	0.501	0.6268	26 256	27 574	29 334
127	Portugal	0.527	0.6593	27 619	29 005	30 857
128	Qatar	0.085	0.1063	4 455	4 678	4 977
129	Republic of Korea	2.173	2.7186	113 882	119 596	127 233
130	Romania	0.070	0.0876	3 669	3 853	4 099
131	Russian Federation	1.200	1.5013	62 889	66 045	70 262
132	Rwanda	0.001	0.0013	52	55	59
133	Saint Kitts and Nevis	0.001	0.0013	52	55	59
134	Saint Lucia	0.001	0.0013	52	55	59
135	Saint Vincent and the Grenadines	0.001	0.0013	52	55	59
136	Saudi Arabia	0.748	0.9358	39 201	41 168	43 797
137	Samoa	0.001	0.0013	52	55	59
138	Senegal	0.004	0.0050	210	220	234
139	Serbia	0.021	0.0263	1 101	1 156	1 230
140	Seychelles	0.002	0.0025	105	110	117
141	Singapore	0.347	0.4341	18 185	19 098	20 317
142	Slovakia	0.063	0.0788	3 302	3 467	3 689
143	Slovenia	0.096	0.1201	5 031	5 284	5 621
144	South Africa	0.290	0.3628	15 198	15 961	16 980
145	Spain	2.968	3.7132	155 545	163 351	173 781
146	Sri Lanka	0.016	0.0200	839	881	937

No.	Party	United Nations scale of assessments for 2009*	Adjusted scale of contributions with 22 per cent ceiling and no LDC paying more than 0.01 per cent	Annual contributions for 2009	Annual contributions for 2010	Annual contributions for 2011
147	Sudan	0.010	0.0125	524	550	586
148	Swaziland	0.002	0.0025	105	110	117
149	Sweden	1.071	1.3399	56 128	58 945	62 709
150	Switzerland	1.216	1.5213	63 728	66 925	71 199
151	Syrian Arab Republic	0.016	0.0200	839	881	937
152	Thailand	0.186	0.2327	9 748	10 237	10 891
153	The former Yugoslav Republic of Macedonia	0.005	0.0063	262	275	293
154	Togo	0.001	0.0013	52	55	59
155	Trinidad and Tobago	0.027	0.0338	1 415	1 486	1 581
156	Tunisia	0.031	0.0388	1 625	1 706	1 815
157	Turkey	0.381	0.4767	19 967	20 969	22 308
158	Turkmenistan	0.006	0.0075	314	330	351
159	Uganda	0.003	0.0038	157	165	176
160	Ukraine	0.045	0.0563	2 358	2 477	2 635
161	United Arab Emirates	0.302	0.3778	15 827	16 621	17 683
162	United Kingdom of Great Britain and Northern Ireland	6.642	8.3096	348 091	365 558	388 900
163	United Republic of Tanzania	0.006	0.0075	314	330	351
164	Uruguay	0.027	0.0338	1 415	1 486	1 581
165	Uzbekistan	0.008	0.0100	419	440	468
166	Venezuela (Bolivarian Republic of)	0.200	0.2502	10 482	11 007	11 710
167	Viet Nam	0.024	0.0300	1 258	1 321	1 405
168	Yemen	0.007	0.0088	367	385	410
169	Zambia	0.001	0.0013	52	55	59
170	European Community	2.500	2.5000	104 725	109 980	117 003
	<b>Total</b>	80.433	100.00000	4 188 999	4 399 203	4 680 112

\*As derived from General Assembly resolution 61/237 of 22 December 2006.

**Table 5****Non-staff costs of activities**

Activity number	2009			2010			2011		
	Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund
1	–	–	–	175 000	175 000	–	1 520 000	500 000	1 020 000
2	300 000	300 000	–	746 000	230 000	516 000	–	–	–
3	32 000	32 000	–	–	–	–	32 000	32 000	–
4	64 000	–	64 000	92 000	28 000	64 000	28 000	28 000	–
5	120 000	–	120 000	–	–	–	–	–	–
6	–	–	–	–	–	–	–	–	–
7a	–	–	–	–	–	–	–	–	–
7b	5 000	5 000	–	5 000	5 000	–	5 000	5 000	–
8	87 000	–	87 000	87 000	–	87 000	–	–	–
9	75 000	75 000	–	75 000	75 000	–	75 000	75 000	–
10	15 000	15 000	–	15 000	15 000	–	15 000	15 000	–
11	35 000	35 000	–	40 000	40 000	–	40 000	40 000	–
12	–	–	–	–	–	–	–	–	–
15	170 000	30 000	140 000	170 000	30 000	140 000	170 000	30 000	140 000
18	5 000	5 000	–	–	–	–	–	–	–
19	1 226 000	20 000	1 206 000	776 000	20 000	756 000	30 000	30 000	–
20	10 000	10 000	–	10 000	10 000	–	10 000	10 000	–
21	50 000	–	50 000	50 000	–	50 000	50 000	–	50 000
22	45 000	–	45 000	–	–	–	–	–	–
23	250 000	–	250 000	250 000	–	250 000	–	–	–
24	100 000	–	100 000	100 000	–	100 000	–	–	–
25	505 000	–	505 000	505 000	5 000	500 000	5 000	5 000	–
26	5 000	–	5 000	5 000	–	5 000	–	–	–
27	5 000	–	5 000	5 000	–	5 000	–	–	–
28	120 000	–	120 000	120 000	–	120 000	–	–	–
29	217 000	–	217 000	217 000	–	217 000	–	–	–
30	280 000	–	280 000	410 000	–	410 000	–	–	–
31	617 000	–	617 000	417 000	–	417 000	–	–	–



Activity number	2009			2010			2011		
	Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund	Non-staff costs	BC Trust Fund	BD Trust Fund
35	183 000	20 000	163 000	183 000	20 000	163 000	20 000	20 000	–
36	115 000	–	115 000	115 000	–	115 000	–	–	–
37	5 000	–	5 000	–	–	–	–	–	–
39	130 000	–	130 000	120 000	–	120 000	–	–	–
40	70 000	–	70 000	70 000	–	70 000	–	–	–
41	5 000	–	5 000	5 000	–	5 000	–	–	–
42	230 000	–	230 000	230 000	–	230 000	–	–	–
43	–	–	–	–	–	–	–	–	–
44	65 000	20 000	45 000	65 000	20 000	45 000	65 000	20 000	45 000
45	60 000	–	60 000	60 000	–	60 000	–	–	–
46	70 000	–	70 000	70 000	–	70 000	–	–	–
47	25 000	15 000	10 000	25 000	15 000	10 000	25 000	15 000	10 000
48	10 000	10 000	–	10 000	10 000	–	10 000	10 000	–
49	–	–	–	–	–	–	–	–	–
50	10 000	10 000	–	10 000	10 000	–	10 000	10 000	–
51	35 000	10 000	25 000		–	–	75 000	–	75 000
52	–	–	–	–	–	–	50 000	–	50 000
53	–	–	–	–	–	–	–	–	–
54	40 000	40 000	–	40 000	40 000	–	40 000	40 000	–
55	–	–	–	–	–	–	–	–	–
56	20 000	20 000	–	20 000	20 000	–	20 000	20 000	–
58	305 300	305 300	–	305 300	305 300	–	305 300	305 300	–
<b>TOTAL</b>	<b>5 716 300</b>	<b>977 300</b>	<b>4 739 000</b>	<b>5 598 300</b>	<b>1 073 300</b>	<b>4 525 000</b>	<b>2 600 300</b>	<b>1 210 300</b>	<b>1 390 000</b>

## IX/32: Work programme of the Open-ended Working Group for 2009–2011

### *The Conference of the Parties*

1. *Adopts* the work programme of the Open-ended Working Group for 2009–2011 contained in the annex to the present decision;
2. *Elects* the following representatives as members of the Bureau of the Open-ended Working Group for the triennium 2009–2011:

Co-chairs: Mr. Oludayo Olusegun Dada (Nigeria) (Technical)  
 Mr. Damien Scott Hall (Australia) (Legal)

Vice-chairs: Mr. Mohammed Khashashneh (Jordan) (Technical)  
 Ms. Gillian Guthrie (Jamaica) (Legal)

Rapporteur: Ms. Sonja Radovic (Croatia).

### Annex to decision IX/32

## Work programme of the Open-ended Working Group for 2009–2011

<b><i>I. Strategic Plan for the Implementation of the Basel Convention</i></b>			
Topics	Activities	Decisions of the Conference of the Parties at its ninth meeting	Priority
A. Strategic Plan and new strategic framework	1. Provide guidance to the Secretariat and the Basel Convention regional centres on efforts to assist Parties in implementing the Strategic Plan. 2. Review the implementation of the Strategic Plan and prepare a draft strategic framework (to 2020).	IX/3	High
B. Basel Convention regional and coordinating centres	1. Review the operation of the centres and prepare a workplan for strengthening the centres. 2. Consider a proposal for the establishment of a regional centre.	IX/4 IX/5	High
C. Basel Convention Partnership Programme	1. Review the work undertaken by the Secretariat and by the Basel Convention regional centres to implement the work plan of the Basel Convention Partnership Programme for 2009–2011. 2. Provide guidance on the implementation of the Partnership Programme, including guidance to the PACE and the MPPI, and consider amendments of section 4 of the guidance document on mobile phones.	IX/7, IX/8, IX/9	High

<b><i>II. Scientific and technical matters</i></b>			
Topics	Activities	Decisions of the Conference of the Parties at its ninth meeting	Priority
A. Technical guidelines	1. Develop technical guidelines for the environmentally sound management of mercury wastes.	IX/15	High
	2. Prepare guidelines on transboundary movements of e-waste, in particular regarding the distinction between waste and non-waste.	IX/6	High
	3. Revise the technical guidelines on the environmentally sound management of used tyres.	IX/14	Medium

<b>II. Scientific and technical matters</b>			
	4. Review and update the technical guidelines on persistent organic pollutants (POPs), if appropriate, and review disposal methods when the POP content is beneath the low POP content.	IX/16	Medium
	5. Review selected technical guidelines and initiate updating as necessary on, for example, incineration on land (D10), specially engineered landfills (D5) and wastes collected from households (Y46).	IX/17	Medium
B. Classification and hazard characterization of wastes	1. Consider and review any applications for changes and any corrections of the list of wastes in Annexes VIII and IX and report on the matter, through the Secretariat, to the Conference of the Parties.	VIII/15	High
	2. Consider the amendment of entries relating to POPs.	IX/16	High
	3. Review issues concerning the identification of wastes in the World Customs Organization Harmonized Commodity Description and Coding System and related matters.	IX/19	Medium
	4. Review issues relating to harmonization and coordination as they relate to work with UNSCE/Globally Harmonized System.	IX/20	Medium
	5. Complete the work on hazard characteristic H11	IX/18	Low
C. Review issues raised under MPPI	Review issues raised during the discussion of the guidelines on transboundary movement of used and end-of-life mobile phones (Chairman's paper).	IX/8	Medium

<b>III. Legal and compliance</b>			
Topics	Activities	Decisions of the Conference of the Parties at its ninth meeting	Priority
A. Environmentally sound dismantling of ships	1. Assess preliminary whether the International Convention for the Safe and Environmentally Sound Recycling of Ships, to be adopted by the International Maritime Organization, establishes an equivalent level of control and enforcement as that established under the Basel Convention, in their entirety, after having developed criteria for this assessment.	IX/30	High
	2. Keep under review developments in this field in other international forums and provide guidance, as appropriate, to the Secretariat.	IX/30	
B. Cooperation between the Basel Convention and the International Maritime Organization	Consider the respective competencies of the Basel Convention and the International Convention for the Prevention of Pollution from Ships 1973 as modified by the Protocol of 1978 in respect of hazardous wastes and other wastes, taking into account deliberations on related issues in the Marine Environment Protection Committee of the International Maritime Organization, and develop recommendations.	IX/12	High
C. Implementation of decision V/32 on enlargement of the scope of the Trust Fund to Assist Developing and Other Countries in Need of Assistance in the	Review the implementation of decision V/32 and develop recommendations addressing the expediency of the procedures under the mechanism, the adequacy of resources available for use under the mechanisms and cooperation with other international organizations and agencies in responding to an emergency situation, and transmit these recommendations to the tenth meeting of the Conference of	IX/22	Medium

<b>III. Legal and compliance</b>			
Implementation of the Basel Convention	the Parties.		
D. Enforcement of the Convention and combating illegal traffic	1. Provide guidance to the Secretariat on activities to assist Parties to enforce the Convention and to combat illegal traffic. 2. Consider and approve the draft instruction manual.	IX/23	High
E. Legal guidance	Provide legal guidance on matters raised by the Secretariat in connection with other decisions adopted by COP9		Medium
F. Addressing the interpretation of paragraph 5 of article 17 of the Basel Convention	Continue the development of a draft decision to reach an agreed interpretation of paragraph 5 of Article 17 of the Basel Convention in accordance with international law, taking into account the work of COP9 on this matter, including a non-exhaustive list of possible elements for a draft decision.	IX/25	

<b>IV. Resource mobilization and sustainable financing</b>			
Topics	Activities	Decisions of the Conference of the Parties at its ninth meeting	Priority
Resource mobilization and sustainable financing	Monitor and provide guidance on the implementation of relevant decisions of the Conference of the Parties.	VIII/34	High

<b>V. International cooperation and coordination</b>			
Topics	Activities	Decisions of the Conference of the Parties at its ninth meeting	Priority
A. Cooperation and coordination between the Basel, Rotterdam and Stockholm conventions	Provide guidance to the Secretariat, as appropriate, on the implementation of the recommendation of the Ad Hoc Joint Working Group on Enhancing Cooperation and Coordination Among the Basel, Rotterdam and Stockholm Conventions, taking into account relevant decisions adopted by the Conferences of the Parties of the Stockholm and Rotterdam Conventions.	IX/10, IX/31	High
B. International cooperation and coordination	Provide guidance, as appropriate, to the Secretariat on means to enhance cooperation and coordination with international and regional organizations and multilateral environmental agreements in areas of relevance to the Basel Convention.	IX/11	Medium

<b>VI. Financial matters</b>			
Topics	Activities	Decisions of the Conference of the Parties at its ninth meeting	Priority
Programme budget and other financial matters	1. Provide guidance on and review the preparation of the programme budget for 2012–2013 and related financial matters. 2. Consider measurable indicators of achievement and performance. 3. Consider a proposal for using any increase in the reserves and fund balance of the Basel Convention Trust Fund, if appropriate. 4. Finalize the programme of activities for 2011 and, if	IX/31	High

	appropriate, take note of changes in the funding required from the Technical Cooperation Trust Fund.		
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## VII. Decisions of the Conference of the Parties

Topics	Activities	Decisions of the Conference of the Parties at its ninth meeting	Priority
Draft decisions of the Conference of the Parties	Review and submit draft decisions for consideration and possible adoption by the Conference of the Parties at its tenth meeting.		High

## IX/33: Date and venue of the tenth meeting of the Conference of the Parties

*The Conference of the Parties,*

*Recalling* Article 15 of the Basel Convention, which states that “ordinary meetings of the Conference of the Parties shall be held at regular intervals to be determined by the Conference at its first meeting”,

*Recalling also* its decision I/1, in which it adopted the rules of procedure for its meetings, rule 4 of which provides that ordinary meetings of the Conference of the Parties shall be held every other year unless the Parties decide otherwise and that at each ordinary meeting the Conference shall decide on the date and duration of the next ordinary meeting,

1. *Decides* that the tenth meeting of the Conference of the Parties to the Convention shall be convened in 2011, the dates to be determined by the Secretariat in consultation with the Expanded Bureau;

2. *Mandates* the Executive Secretary, subject to the approval of the Expanded Bureau, to enter into consultations with a Party that expresses interest in hosting the tenth meeting of the Conference of the Parties with a view to agreeing on satisfactory arrangements and concluding a host country agreement for hosting the tenth meeting of the Conference of the Parties;

3. *Notes* that if no Party agrees to host the tenth meeting of the Conference of the Parties the meeting will be held at the seat of the Secretariat in Geneva.

## Resolution expressing gratitude to the Government of Indonesia

*The Conference of the Parties,*

*Having met* in Bali on the occasion of its ninth meeting from 23 to 27 June 2008 at the invitation of the Government of Indonesia,

1. *Expresses* its profound gratitude to the Government of Indonesia for making it possible for the meeting to be held in Bali;

2. *Requests* the Government of Indonesia to convey to the people of Bali the gratitude of the Conference of the Parties for the hospitality and warmth extended to the meeting participants.

## Annex II

### Bali Declaration on Waste Management for Human Health and Livelihood

*We, the Ministers and other heads of delegation from the Parties to the Basel Convention and from other States,*

*Having met* in Bali, Indonesia, from 23 to 27 June 2008, on the occasion of the ninth meeting of the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, and in particular during the World Forum on Waste Management for Human Health and Livelihood,

*Mindful* that the conditions of life on our planet are threatened and that the challenge for Governments, civil society and the private sector is to protect and improve the environment and human health and livelihood for present and future generations,

*Declare* that:

1. We reaffirm our commitment to the principles and purposes of the Basel Convention adopted on 22 March 1989, including the fundamental objective to protect, by strict control, human health and the environment against the adverse effects resulting from the generation, transboundary movement and management of hazardous wastes and other wastes, in a spirit of solidarity and partnership, and are willing to contribute to a new momentum to achieve the Convention's objectives;
2. We also reaffirm our commitment to sustainable development, including those principles set out in Agenda 21, including chapters 20 and 21, as agreed upon at the United Nations Conference on Environment and Development in 1992;
3. We further reaffirm our commitment to the Johannesburg Declaration on Sustainable Development<sup>1</sup> and the Plan of Implementation of the World Summit on Sustainable Development,<sup>2</sup> which aimed to advance and strengthen the interdependent and mutually reinforcing pillars of sustainable development – economic development, social progress and environmental protection – at the local, national, regional and global levels;
4. We are convinced that full and effective action to implement the Basel Convention will contribute to the achievement of sustainable development, notably internationally agreed development goals, including those contained in the United Nations Millennium Declaration, through waste prevention and minimization, the control of transboundary movements of hazardous wastes and safe and environmentally sound management of waste. In this way, progress can be made in the area of poverty eradication, health, education, gender equality, environmental sustainability and the global partnership for development;
5. We are fully aware that waste, if not managed in a safe and environmentally sound manner, may have serious consequences for the environment, human health and sustainable livelihood, and we therefore reaffirm our commitment to preventing the illegal transboundary movement of hazardous wastes, to minimizing the generation of hazardous wastes and to promoting the safe and environmentally sound management of waste within each country;
6. We are convinced that if those actions are taken, there is high potential to improve the health and livelihood of all citizens and to provide economic opportunities through the safe and efficient reduction, re-use, recycling, recovery, treatment and disposal of waste. We believe that we could help to realize such potential benefits by encouraging the incorporation of sound waste management in development and sustainability strategies and through strengthened cooperation at all levels;
7. We will further promote international, regional and inter-agency cooperation, coordination and planning, including among the Basel Convention, the Rotterdam Convention on the

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<sup>1</sup> *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August-4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 1, annex.

<sup>2</sup> *Ibid*, chap. I, resolution 2, annex.

Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the Stockholm Convention on Persistent Organic Pollutants, to facilitate capacity-building, information sharing and technology transfer in tackling hazardous waste issues, including through the implementation of the Bali Strategic Plan for Technology Support and Capacity-building;

8. We note that resource mobilization is an important task to be undertaken for achieving the objectives of the Basel Convention. In this context, as set out in decision VIII/34 on resource mobilization and sustainable financing, in particular its paragraph 5, which takes into account the co-benefits between the environmentally sound management of waste and climate protection, we encourage raising of such resources, including from the flexible mechanism under the United Nations Framework Convention on Climate Change and its Kyoto Protocol;

9. We call upon international and regional partners to support and enhance the implementation of the Basel Convention at the bilateral, regional and global levels by providing adequate resources and assistance for the safe and environmentally sound management of hazardous and other wastes and we believe that a public-private partnership approach could be an important way to advance activities for the environmentally sound management of waste. In this context, we also recall the importance of the role played by the Basel Convention regional centres in enhancing the implementation of the Convention and the need to support the building of their capacity to improve their effectiveness;

10. We encourage the following actions by Parties and by relevant public and private organizations, including international and regional organizations and programmes, to:

- (a) Promote awareness-raising of the link between waste management, health and livelihood and the environment;
- (b) Strengthen subregional and regional cooperation on waste and health issues by promoting national, regional and international human and appropriate technical capacities;
- (c) Improve waste shipment and border controls to prevent illegal movements of hazardous and other wastes, including through capacity-building, technology transfer and technical assistance;
- (d) Improve cooperation between national authorities in the waste, chemicals and health sectors and, in collaboration with other relevant authorities and stakeholders, in the development and implementation of effective and sound waste management systems;
- (e) Increase capacity-building and promote and, where possible, enhance, public and private investment for the transfer and use of appropriate technology for the safe and environmentally sound management of waste;

11. We invite the World Health Assembly to consider a resolution related to the improvement of health through safe and environmentally sound waste management.

## Annex III

### Statement by the Secretary-General

#### **Message to the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal at the high-level segment of its ninth meeting, held in Bali on 26 and 27 June 2008**

Twenty years since the adoption of the Basel Convention, the international regime regulating transboundary movements of hazardous and other wastes, this Conference will have to grapple with a range of new challenges.

Electrical and electronic waste is emerging as a major problem. Right now, more than one in three people worldwide – 2.5 billion in total – use a mobile phone. That figure is expected to rise by up to 400 million new subscribers each year. While this trend is responsible for immeasurable advances worldwide, discarded mobile phones are posing a growing and potentially alarming environmental threat.

You have already made significant progress in responding. At the eighth meeting of the Conference of the Parties, the Basel Convention adopted the Nairobi Declaration on the environmentally sound management of electrical and electronic waste, and a related programme of activities to tackle this new challenge hands-on.

Even as the ninth meeting of the Conference of the Parties continues this important work, it must also maintain attention to longstanding concerns. Hazardous and other wastes that are improperly managed or transported continue to pose serious risks for human health and the environment.

Given the undeniable interdependence between the environmentally sound management of hazardous and other wastes and the achievement of sustainable development, I welcome the attention given by the Conference of the Parties at its ninth meeting to the critical impact of waste on human health and livelihood.

The Basel Convention, by establishing the principle of environmentally sound management of hazardous and other wastes, is a key tool in pursuing environmental sustainability and the Millennium Development Goals.

To reach these targets for a better world, all States should provide the necessary political commitment and resources to the Basel Convention, integrating efforts to carry out its provisions into the broader global campaign for sustainable development.

For our part, the United Nations will continue to take an active role in meeting the global waste challenge.



## Annex IV

### Welcoming statements by representatives of the Indonesian Government

#### A. Statement by Mr. Nyoman Yasa, Secretary of Bali Province, on behalf of the Governor of Bali

In his opening statement Mr. Yasa welcomed representatives to the island of Bali and expressed his wish for a rewarding meeting with successful outcomes. He said that the environment was viewed as a harmonious component of life in Bali and was particularly honoured during the annual Nyepi (“Silent”) Day, when silence was observed on the island. Noting the importance of the environment to tourism and thus the Balinese economy, he said that particular attention was given on the island to the safe disposal of wastes, including hazardous wastes.

#### B. Statement by Mr. Rachmat Witoelar, State Minister for the Environment of Indonesia

Mr. Witoelar welcomed the participants to the meeting and thanked the Government and people of Bali for their warm hospitality. He said that although 16 years had passed since the Basel Convention had entered into force the illegal trafficking of hazardous waste remained a problem and had become much more difficult to tackle owing to the globalization of trade and a significant increase in hazardous wastes from the advancement of industrialization and economic development. Implementation of the Convention was a priority for Indonesia, both because of the problems it faced as a recipient of illegal hazardous waste from other countries, given its extensive coastline, and because of the significant increase in its own production of such waste, which it needed to export to countries that were equipped with the necessary processing and disposal facilities in accordance with international transport regulations and in compliance with the Convention.

On the theme of waste management for human health and livelihood, he drew attention to the mutually dependent relationship between environmentally sound waste management and sustainable development. It was hoped that the Conference would reinforce efforts to mainstream such environmentally sound waste management in every country and make progress in such aspects of the Convention as ship dismantling, the Ban Amendment, illegal trafficking, the enhancement of coordination and synergies with other chemical conventions and strengthening the role of the Basel Convention regional centres. As custodians of the earth, all countries had the obligation to ensure that future generations would continue to have access to the same quality of environment currently being enjoyed. He expressed the hope that the Conference would accelerate the process towards the effective control of hazardous waste for the livelihood of all humankind and for the prosperity of present and future generations.

## **Annex V**

### **Report of the Committee of the Whole**

#### **I. Introduction**

1. At its 2nd plenary session the Conference of the Parties established a Committee of the Whole to consider the agenda items referred to it by the Conference. The Committee of the Whole was chaired by Ms. Mary Harwood (Australia) and held six sessions from 24 June to 27 June 2008.

#### **II. Committee for Administering the Mechanism for Promoting Implementation and Compliance of the Basel Convention (agenda item 6)**

2. The Committee took up the item at its 5th session, on the afternoon of Wednesday, 25 June. The Committee had before it a note by the Secretariat on the Committee for Administering the Mechanism for Promoting Implementation and Compliance of the Basel Convention (the “Compliance Committee”) (UNEP/CHW.9/2) and a report by the Compliance Committee containing its work programme for 2009–2010 (UNEP/CHW.9/3).

3. Introducing the item, the chair of the Compliance Committee reported on its activities during the biennium 2007–2008, during which the Committee had held two meetings and had worked intersessionally. It had reviewed its activities and developed its proposed work programme for 2009–2010 with a view to enhancing Parties’ use of the Committee’s full capacity and accordingly had recommended to the Secretariat that it should use its mandate under paragraph 9 (c) of the Committee’s terms of reference to make specific submissions in particular circumstances. It was proposed that the Technical Cooperation Trust Fund should be enlarged to establish an implementation fund, funded from voluntary contributions, to assist developing countries facing difficulties in implementing the Convention when they were subject to a specific submission before the Committee. In conclusion, he thanked the members of the Committee for their hard work and the Secretariat staff for their support.

4. The Committee approved the draft decision contained in document UNEP/CHW.9/2 for consideration and possible adoption by the Conference of the Parties.

#### **III. Implementation of the decisions adopted by the Conference of the Parties at its eighth meeting (agenda item 7)**

5. The Committee took up the item at its 2nd session, on the morning of Tuesday, 24 June.

##### **A. Strategic Plan for the Implementation of the Basel Convention to 2010**

6. The Committee took up the sub-item at its 3rd session, on the afternoon of Tuesday, 24 June. The Committee had before it a report on the work programme (UNEP/CHW.9/4), a note by the Secretariat on developments and obstacles in the implementation of the Strategic Plan for the Implementation of the Basel Convention to 2010 (UNEP/CHW.9/5) and a note on the follow-up to the Strategic Plan beyond 2010 (UNEP/CHW.9/6). It also had before it information documents on projects and capacity-building activities (UNEP/CHW.9/INF/3), on the implementation of the Strategic Plan, taking into account the review of the operation of the Basel Convention regional and coordinating centres and the role of the Basel Convention Partnership Programme (UNEP/CHW.9/INF/4) and a compilation of comments received from Parties on developments and obstacles in the implementation of the Strategic Plan (UNEP/CHW.9/INF/5).

7. The representative of the Secretariat gave an overview of the status of the Strategic Plan, the implementation of programme activities in various regions and the development of new activities to be funded from extrabudgetary sources. He provided information on action taken by the Secretariat, in conjunction with the United Nations Environment Programme, the International Maritime Organization and the World Health Organization, on the follow-up to the incident of toxic waste dumping in Côte

d'Ivoire in 2006. In that context, he reported on the level of funding received by UNEP for its special trust fund for Côte d'Ivoire, through which the programme to provide assistance to that country was being funded. Lastly, it was also indicated that the action of the Secretariat in that matter took place in the context of the appeal for cooperation made by the President of the eighth meeting of the Conference of the Parties. Summarizing the progress made in implementing the Strategic Plan, he stressed the need to develop a strategic framework to replace the Strategic Plan at the end of its term and requested Parties' input.

8. While some representatives expressed support for the Strategic Plan as a means of setting priorities for action in the longer term, they also voiced concern that much of the existing Plan had not been implemented, either because it was too ambitious or because donor support had been lacking. One representative expressed the view that a more ambitious approach to attracting donors was required and that emphasis should be laid on the links between the environmentally sound management of waste and the Millennium Development Goals and topics such as human health and livelihood, efforts to combat climate change and the efficient use of natural resources. It was further suggested that the role of the Secretariat in the implementation of the Strategic Plan should be revisited, taking into account the capacity and resources available.

9. To assist in resolving the varying views on the issue, the representative of Canada offered to convene open-ended informal consultations, with a view to submitting a conference-room paper to the Committee on matters relating to strategic planning and evaluation. At its 5th session, on the afternoon of 26 June, the Committee continued its consideration of the item and agreed to set up a contact group to consider strategic planning and the matter of a possible evaluation of the effectiveness of the Basel Convention, to be chaired by Mr. Paul Bailey (Canada).

10. The Committee resumed consideration of the sub-item at its 6th session, on the morning of Friday, 27 June, at which time it considered a draft decision prepared by the contact group. The Committee approved the draft the decision, as orally amended, for consideration and possible adoption by the Conference of the Parties.

## **B. Basel Convention regional and coordinating centres**

### **1. Review of the operation of the Basel Convention regional and coordinating centres**

11. The Committee took up the sub-item at its 1st session, on the afternoon of Monday, 23 June. The Committee had before it a review of the operation of the Basel Convention regional and coordinating centres (UNEP/CHW.9/7), as well as information documents reporting on the operation of the Basel Convention regional and coordinating centres (UNEP/CHW.9/INF/6) and evaluating technology transfer activities under the Basel Convention (UNEP/CHW.9/INF/6/Add.1), together with a compilation of comments received on the draft report on the operation of the centres (UNEP/CHW.9/INF/7).

12. Many representatives welcomed the report on the regional centres and expressed strong support for them as the centres were crucial to the effective implementation of the Convention. There was, however, widespread agreement that the centres needed strengthening, primarily in terms of human resources and sustainable financing. It was also felt that they should broaden the focus of their activities and strive for increased integration with the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the Stockholm Convention on Persistent Organic Pollutants. One representative called for the centres to take on the role of implementing agencies with greater levels of autonomy from the Basel Convention Secretariat.

13. Following the discussion, the Committee agreed to establish a contact group, to be chaired by Mr. Prakash Kowlessar (Mauritius), to consider the matter further, together with other matters relating to the regional centres.

14. The Committee resumed consideration of the sub-item at its 6th session, on the morning of Friday, 27 June, at which time it considered a draft decision prepared by the contact group. The Committee approved the draft decision, as orally amended, for consideration and possible adoption by the Conference of the Parties.

## **2. Review of the proposal for the establishment of a regional centre for South Asia in the South Asia Cooperative Environment Programme**

15. The Committee took up the sub-item at its 1st session, on the afternoon of Monday, 23 June. The Committee had before it a review of the proposal for the establishment of a regional centre for South Asia in the South Asia Cooperative Environment Programme (SACEP) (UNEP/CHW.9/8). It also had before it information documents on the proposal (UNEP/CHW.9/INF/8); on a needs assessment report on the establishment of the centre at SACEP (UNEP/CHW.9/INF/8/Add.1); and comments on the proposal by the Secretariat of the Basel Convention (UNEP/CHW.9/INF/9).

16. Several representatives expressed support for the establishment of a regional centre in Sri Lanka.

17. The representative of a regional integration organization highlighted the importance of ensuring a strategic regional presence and cautioned against any overlapping of centres within geographic regions. He suggested that the possibility of establishing a regional centre in South Asia should be discussed at the next meeting of the Open-ended Working Group. Other representatives suggested that consideration of the establishment of a new centre should be deferred until the review process had been completed.

18. The representative of SACEP said that industrialization and hence the generation and dumping of hazardous waste were proceeding at an extremely fast pace in South Asia and posed a major threat to local ecosystems. The SACEP Governing Council, which represented eight South Asian countries, had endorsed the proposal to establish a regional centre in 2007 and had reiterated its support in May 2008. He urged the Conference of the Parties to approve the establishment of such a centre, which was long overdue.

19. Following the discussion, the Committee agreed to refer the sub-item to the contact group on regional centres for further consideration.

20. The Committee resumed consideration of the sub-item at its 6th session, on the morning of Friday, 27 June, at which time it considered a draft decision prepared by the contact group. Two representatives expressed support for the proposal. The Committee approved the draft decision for consideration and possible adoption by the Conference of the Parties.

## **C. Nairobi Declaration on the Environmentally Sound Management of Electrical and Electronic Waste and decision VIII/2**

21. The Committee took up the sub-item at its 4th session, on the morning of Wednesday, 25 June. The Committee had before it a note by the Secretariat on the Nairobi Declaration on the Environmentally Sound Management of Electrical and Electronic Waste and decision VIII/2 (UNEP/CHW.9/9). It also had before it information documents providing an overview of global activities on environmentally sound management of used and end-of-life computing equipment by the Partnership for Action on Computing Equipment (UNEP/CHW.9/INF/10) and on options for a global e-waste advisory body (UNEP/CHW.9/INF/11), together with a report by the interim group on the Partnership for Action on Computing Equipment (UNEP/CHW.9/INF/12).

22. While some representatives endorsed the draft decision, others highlighted unresolved issues such as the proposed multi-stakeholder group. It was decided, therefore, to refer the draft decision to the contact group on technical matters for further discussion.

23. The Committee resumed consideration of the sub-item at its 6th session, on the morning of Friday, 27 June, at which time it considered a draft decision prepared by the contact group. The Committee approved the draft decision for consideration and possible adoption by the Conference of the Parties.

## **D. Partnership Programme**

24. The Committee took up the sub-item at its 4th session, on the morning of Wednesday, 25 June. It had before it a report on progress on the implementation of the Basel Convention Partnership Programme workplan for 2007–2008 and a proposed workplan for 2009–2010 (UNEP/CHW.9/10); a provisional guidance document on environmentally sound management of used and end-of-life mobile phones (UNEP/CHW.9/11); documents on the Mobile Phone Partnership Initiative (UNEP/CHW.9/12), and on the Partnership for Action on Computing Equipment (UNEP/CHW.9/13); the report of the

interim group on the Partnership for Action on Computing Equipment (UNEP/CHW.9/INF/12); a compilation of comments and proposals received from Parties and others pursuant to decision OEWG-VI/21 on the Mobile Phone Partnership Initiative (UNEP/CHW.9/INF/13); information documents on future directions for partnerships (UNEP/CHW.9/INF/14) and the accomplishments and future activities of the Mobile Phone Partnership Initiative (UNEP/CHW.9/INF/15); and a progress report on the Mobile Phone Partnership Initiative (UNEP/CHW.9/INF/16), together with documents on the Basel Business Forum Partnership (UNEP/CHW.9/INF/17) and an NGO Forum Partnership (UNEP/CHW.9/INF/18).

25. The representative of the Secretariat reported on progress made on the workplan for 2007–2008 and described the proposed workplan for 2009–2011. In the ensuing discussion, there was support for the Partnership Programme and the workplan for 2009–2011. Several representatives said, however, that while they supported the workplan overall, some issues, such as the forums for non-governmental organizations and businesses and the role of the Secretariat in supporting those groups, required further consideration. One representative noted that limitations on financial, human and in-kind resources had to be taken into account. The representative of the United States of America announced his country's support for the Partnership Programme and said that it would transfer \$75,000 to the Secretariat of the Convention, earmarked for the Partnership Programme, as soon as its internal processes could be completed. The representative of the Food and Agriculture Organization of the United Nations announced the organization's support for the initiative to collaborate and coordinate with the Secretariat and welcomed further joint work with the Basel Convention in the implementation of the Africa Stockpiles Programme to support the environmentally sound elimination of obsolete pesticide stocks. A memorandum of understanding was being developed in that regard.

26. The Committee resumed consideration of the sub-item at its 6th session, on the morning of Friday, 27 June, at which time it considered a draft decision prepared by the contact group. The Committee approved the draft decision for consideration and possible adoption by the Conference of the Parties.

## **1. Mobile Phone Partnership Initiative**

27. Mr. Marco Buletti (Switzerland), Chair of the Mobile Phone Working Group, summarized the progress made under the Mobile Phone Partnership Initiative. He noted that an overall guidance document on the environmentally sound management of used and end-of-life mobile phones had been prepared and subsequently revised on the basis of comments received. As the Mobile Phone Working Group had completed four technical guidelines and one overall guidance document, the Group was of the opinion that it had completed its mandate and proposed that the Conference of the Parties dissolve the Working Group and handle further work, activities or advocacy on mobile phones in an ad hoc forum. Challenges remained, including that of overcoming private sector reluctance to engage with a convention that had the word "hazardous" in its title and was perceived to deal primarily with regulatory issues and not environmentally sound and economically efficient policies. He reviewed the decision being presented for adoption.

28. In the ensuing discussion, several representatives expressed their support for the adoption of the draft decision as it stood, although one representative proposed adding to the decision a requirement for the follow-up group to prepare a progress report for consideration at the seventh session of the Open-ended Working Group. One representative proposed the deletion of Appendix 4 (a) from document UNEP/CHW.8/2/Add.3\* on the grounds that it did not fall within the purview of the Convention. In that regard, it was agreed that the matter should be referred to the contact group on technical matters for further consideration. In conclusion, a round of thanks was offered to Mr. Buletti for the hard work and achievements of the Mobile Phone Working Group.

29. The Committee resumed consideration of the sub-item at its 6th session, on the morning of Friday, 27 June, at which time it considered a draft decision prepared by the contact group. The Committee approved the draft decision, as orally amended, for consideration and possible adoption by the Conference of the Parties.

## **2. Partnership for Action on Computing Equipment**

30. Mr. Osvaldo Álvarez-Pérez (Chile), Co-Chair of the Preparatory Working Group, gave a slide presentation on progress made by the interim group in the establishment of the Partnership for Action on Computing Equipment. Agreement had been reached on the Partnership's mission statement, scope, and three working principles (UNEP/CHW.9/13). The Group had established activities with which to begin the first phase of the workplan and had also reached agreement on the Partnership's organizational structure, although its terms of reference would require further discussion as the

sustainable financing mechanism needed to be finalized. He noted that significant progress had been made towards ensuring that sufficient funding was provided for the Partnership. He urged the Conference of the Parties to adopt the proposed revised decision on the Partnership.

31. In the ensuing discussion, clear support was expressed for the Partnership and it was agreed that the matter should be referred to the contact group on technical matters for further consideration and discussion.

32. The Committee resumed consideration of the sub-item at its 6th session, on the morning of Friday, 27 June, at which time it considered a draft decision prepared by the contact group. The Committee approved the draft decision for consideration and possible adoption by the Conference of the Parties, noting that it might require adjustment in the event that the Conference adopted a three-year budget cycle for the Convention.

## **E. Cooperation and coordination among the Basel, Rotterdam and Stockholm conventions**

33. The Committee took up the sub-item at its 2nd session, on the morning of Tuesday, 24 June. The Committee had before it a recommendation of the ad hoc joint working group on enhancing cooperation and coordination among the Basel, Rotterdam and Stockholm conventions (UNEP/CHW.9/14), a summary by the co-chairs of the group (UNEP/CHW.9/INF/19); information documents on the costs and organizational implications of establishing joint services of the Basel, Rotterdam and Stockholm conventions (UNEP/CHW.9/INF/20) and on the activities developed by the secretariats of the three Conventions (UNEP/CHW.9/INF/21); a proposal on financing coordinated extraordinary meetings of the conference of the Parties to the three Conventions; and an information document containing additional information on the costs and organizational implications for the Secretariat of the Basel Convention of establishing joint services of the three Conventions.

34. Introducing the sub-item, the Chair drew attention to the action proposed by the ad hoc joint working group, which, if adopted by the Conference of the Parties to the Basel Convention, would then be forwarded to the conferences of the Parties of the Rotterdam and Stockholm conventions for adoption. The co-chairs of the working group gave a slide presentation about the group and gave an overview of the outcome of the group's endeavours, including proposals for joint services to be established on an interim basis in such areas as resource mobilization, financial management and audit information, information technology and legal services, and for an assessment to be conducted on the costs and organizational implications of joint services. It was also recommended that extraordinary simultaneous meetings of the three conferences of the Parties to the three conventions should be held back-to-back with the eleventh special session of the UNEP Global Ministerial Environmental Forum, in February 2010. The extraordinary conferences of the Parties would, among other things, make final decisions on the joint services. The co-chairs emphasized that the group had adopted a country-driven, bottom-up, systematic approach and that its recommendation, if implemented, would bring the three conventions more visibility and help to promote their implementation.

35. In the ensuing discussion, a number of representatives expressed support for the adoption of the working group's recommendation as a whole, saying that doing so would boost the international environmental governance process in UNEP. Some representatives added that the process would help to drive forward United Nations reform in general and strengthen environmental work as part of what was known as the "One United Nations" initiative. It was noted, however, that, although synergy among the three conventions would be welcome, it was important to preserve their autonomy.

36. Some representatives called for further consideration of the recommendation before it could be approved. One representative in particular expressed a preference for considering each element of the recommendation to facilitate discussion and consideration of the issues involved and suggested that the recommendation should not be considered by the Conference of the Parties in plenary session until clarification had been provided on several outstanding queries on various issues such as the role of the regional focal centres and what was intended by the identification of a particular centre in a region as providing assistance for a specific purpose.

37. In response to a question as to the benefit of having the same members appointed to the compliance mechanisms of the three conventions, the co-chairs explained that that recommendation was intended to enhance the exchange of information between the co-chairs of the compliance committees.

38. With regard to how the joint resource mobilization service would be financed and whether developing countries were expected to contribute to funding the three conventions, the representative of

UNEP stated that his organization would support such a joint service in the event of increased cooperation and coordination among the conventions.

39. In response to a question on what was meant by the recommendation that the regional centres should be strengthened to enable them to exercise a more synergistic approach, one of the co-chairs said that such synergy would best be realized through cooperation and coordination within a life-cycle approach to project implementation. The Chair directed that, to allow time for further consultation on the issue, it would be referred back to the Conference of the Parties for determination.

## **F. International cooperation and coordination**

40. The Committee took up the sub-item at its 5th session, on the afternoon of Wednesday, 25 June. The Committee had before it notes by the Secretariat on international cooperation and coordination (UNEP/CHW.9/15) and on cooperation between the Basel Convention and IMO (UNEP/CHW.9/16), together with information documents containing comments from Parties and the IMO secretariat pursuant to decisions VIII/9 and OEWG-VI/8 (UNEP/CHW.9/INF/22 and Add.1), and on the international conference on the environmentally sound management of wastes generated at sea (UNEP/CHW.9/INF/39).

41. The representative of the Secretariat delivered a statement on behalf of the World Customs Organization (WCO), in which it said that in 1997 the WCO Council had adopted a recommendation aimed at enhancing controls on nuclear and hazardous wastes. With the support of the Secretariat of the Basel Convention, the WCO Harmonized System Committee had amended the tariff headings for certain hazardous wastes with a view to monitoring international trade. Relevant seizure data, alerts and other information had been uploaded to the Customs Enforcement Network and the Sky-Hole Patching Project in the Asia and the Pacific region had increased seizures of waste. The statement emphasized that countries in which hazardous waste originated should take action to stop such substances from travelling illegally around the world.

42. One representative suggested that the elimination of mercury in health establishments should be taken into account in the context of coordination with WHO. She further recommended, in the context of cooperation with WCO, the establishment of an internet link between countries or regional centres containing data on illegal trafficking and the publication of a newsletter containing case studies, analyses of regional trends, alert messages and risk profiles.

43. The Committee approved the draft decision contained in document UNEP/CHW.9/15 for consideration and possible adoption by the Conference of the Parties.

44. The representative of IMO said that IMO had responded to decision VIII/9 by providing information on the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto (MARPOL 73/78). Progress had been made by the secretariats of the Basel Convention and IMO in setting up a joint technical cooperation project, also involving the UNEP Post-Conflict and Disaster Management Branch, which would build up the hazardous waste management capacity of the Government of Côte d'Ivoire and other Governments in the region. In response to comments by Norway in document UNEP/CHW.9/INF/22, he said that annexes I and II to MARPOL 73/78 did not deal with wastes but with the prevention of pollution from oily residues from ship engine rooms and from cargo residues. Moreover, the process of blending substances to produce products such as biofuels or bioblends did not generate waste.

45. Several representatives expressed support for regular and close cooperation between the secretariats of the Basel Convention and IMO, including in respect of IMO instruments other than MARPOL 73/78. One representative wondered whether rules under existing conventions were capable of preventing the recurrence of events such as that which had occurred in Côte d'Ivoire, noting that the nature of the substances at issue in that incident was not clear. Another drew attention to the high risk of pollution stemming from increasingly heavy shipping traffic in the Mediterranean. The representative of the European Community, speaking on behalf of the European Union and its 27 member States, said that the European Union was as yet unable to comment on possible gaps between the Basel Convention and MARPOL 73/78 and the options for filling them. Studies were under way, however, to assess international and European legislation pertaining to cargo residues.

46. The Committee approved the draft decision contained in document UNEP/CHW.9/16, as orally amended, for consideration and possible adoption by the Conference of the Parties.

## **G. National reporting**

47. The Committee took up the sub-item at its 4th session, on the morning of Wednesday, 25 June. The Committee had before it a note by the Secretariat on national reporting (UNEP/CHW.9/17), together with an information document providing additional information on the subject (UNEP/CHW.9/INF/23).

48. Several representatives highlighted the importance of national reporting by Parties and noted the availability of an online reporting database. One representative stressed the need to train Parties to meet their reporting obligations.

49. The Committee approved the draft decision contained in document UNEP/CHW.9/17 for consideration and possible adoption by the Conference.

## **H. Technical matters**

### **1. Revised technical guidelines on the environmentally sound management of used tyres**

50. The Committee took up the sub-item at its 1st session, on the afternoon of Monday, 23 June. The Committee had before it the revised technical guidelines on environmentally sound management of used tyres (UNEP/CHW.9/18).

51. The representative of Brazil, which had prepared the revised version of the technical guidelines in consultation with the intersessional working group, said that new sections, concepts and definitions had been introduced to make the guidelines more comprehensive. They should not, however, be viewed as an immutable source of guidance since they would need to be constantly updated to reflect relevant developments.

52. In the ensuing discussion, representatives noted difficulties which they had with the document as drafted and a number of suggestions were made on ways in which it could be improved, in terms both of its content and structure.

53. Following the discussion on the sub-item, the Committee agreed to establish a contact group, to be chaired by Mr. Mohammed Khashashneh (Jordan), to consider the matter further, together with other technical matters under the agenda item.

54. The Committee resumed consideration of the sub-item at its 5th session, on the afternoon of Wednesday, 26 June, at which time it considered a draft decision prepared by the contact group. The Committee approved the draft decision, together with a draft table of contents for the guidelines, for consideration and possible adoption by the Conference of the Parties.

### **2. Technical guidelines on the environmentally sound management of mercury waste**

55. The Committee took up the sub-item at its 1st session, on the afternoon of Monday, 23 June. The Committee had before it technical guidelines on the environmentally sound management of mercury wastes (UNEP/CHW.9/19). It also had before it an information note on the draft technical guidelines (UNEP/CHW.9/INF/24), comments on the guidelines received from Canada (UNEP/CHW.9/INF/25), the Basel Action Network (BAN) (UNEP/CHW.9/INF/25/Add.1) and Germany and the GEF/UNDP advisor (UNEP/CHW.9/INF/25/Add.2), as well as an information note on mercury waste and the Basel Convention submitted by the Chemicals Branch of the UNEP Division of Technology, Industry and Economics (UNEP/CHW.9/INF/35).

56. Introducing the sub-item, the representative of the Secretariat said that the Open-ended Working Group had proposed at its sixth session, in September 2007, that the Conference of the Parties consider at its ninth meeting whether the further development of the technical guidelines should be included in the work programme of the Open-ended Working Group for 2009–2010.

57. All representatives who spoke expressed support for the proposal by the Open-ended Working Group and, in that context, the representative of Norway pledged financial support for the project. It was also suggested that the Conference should identify a country to lead the process of revising the technical guidelines.

58. Following the discussion, the Committee agreed to refer the sub-item to the contact group on technical matters for further consideration.

59. The Committee resumed consideration of the sub-item at its 4th session, on the morning of Wednesday, 25 June, at which time it considered a draft decision prepared by the contact group. The



Committee approved the draft decision for consideration and possible adoption by the Conference of the Parties, noting that it might require adjustment in the event that the Conference adopted a three-year budget cycle for the Convention.

### **3. Persistent organic pollutants**

60. The Committee took up the sub-item at its 1st session, on the afternoon of Monday, 23 June. The Committee had before it a note by the Secretariat on persistent organic pollutants (UNEP/CHW.9/20).

61. The representative of a regional integration organization suggested that Basel Convention experts should be involved in forthcoming work under the Stockholm Convention on revised draft guidelines on best available techniques and provisional guidance on best environmental practices.

62. One representative expressed support for the proposed amendment to entry A4110 in Annex III to the Basel Convention in order to include a concentration level for the relevant persistent organic pollutants.

63. Following the discussion, the Committee agreed to refer the issue to the contact group on technical matters for further consideration.

64. The Committee resumed consideration of the sub-item at its 4th session, on the morning of Wednesday, 25 June, at which time it considered a draft decision prepared by the contact group. The Committee approved the draft decision for consideration and possible adoption by the Conference of the Parties, noting that it might require adjustment in the event that the Conference adopted a three-year budget cycle for the Convention.

### **4. Review of other selected technical guidelines pursuant to decision VIII/17, e.g., on incineration on land (D10), specially engineered landfill (D5) and wastes collected from households (Y46)**

65. The Committee had before it a note by the Secretariat providing a review of other selected technical guidelines pursuant to decision VIII/17, e.g., on incineration on land (D10), specially engineered landfill (D5) and wastes collected from households (Y46) (UNEP/CHW.9/21).

66. The Committee approved the draft decision contained in document UNEP/CHW.9/21 for consideration and possible adoption by the Conference of the Parties.

### **5. Review of work on the guidance papers on H10 and H11 pursuant to decision VIII/21**

67. The Committee had before it a note by the Secretariat providing a review of work on the guidance papers on H10 and H11 pursuant to decision VIII/21 (UNEP/CHW.9/22).

68. The Committee approved the draft decision contained in document UNEP/CHW.9/22, as orally amended, for consideration and possible adoption by the Conference of the Parties.

### **6. Review of cooperation with the World Customs Organization and its Harmonized System Committee pursuant to decision VIII/20**

69. The Committee had before it a note by the Secretariat providing a review of cooperation with the World Customs Organization and its Harmonized System Committee pursuant to decision VIII/20 (UNEP/CHW.9/23).

70. The Committee approved the draft decision contained in document UNEP/CHW.9/23, as orally amended, for consideration and possible adoption by the Conference of the Parties.

### **7. Review or adjustment of the lists of wastes contained in Annexes VIII and IX of the Basel Convention**

71. The Committee had before it a note by the Secretariat on a review or adjustment of the lists of wastes contained in Annexes VIII and IX to the Basel Convention (UNEP/CHW.9/24).

72. In view of the statement by the representative of the Secretariat that work on correcting the list remained under way, the Committee agreed not to forward any decision for consideration and possible adoption by the Conference but rather to take note of the progress being made.

## 8. Harmonization and coordination

73. The Committee had before it a note by the Secretariat on harmonization and coordination (UNEP/CHW.9/25).

74. The Committee approved the draft decision contained in document UNEP/CHW.9/25, as orally amended, for consideration and possible adoption by the Conference of the Parties.

## 9. National classification and control procedures for the import of wastes contained in Annex IX

75. The Committee had before it a note by the Secretariat on national classification and control procedures for the import of wastes contained in Annex IX (UNEP/CHW.9/26).

76. Some representatives questioned whether the procedures were useful and suggested that they be reviewed. The Committee approved the draft decision contained in document UNEP/CHW.9/26, subject to further work to ensure consistency among the various language versions, for consideration and possible adoption by the Conference of the Parties.

## 10. Hazardous waste minimization

77. The representative of the Secretariat said that, since there had been little progress on the issue and no one had submitted comments by 30 June 2008 as the Conference had requested in its decision VIII/23, no draft decision had been formulated. The representative also pointed out the relevance of the issue to, and the Secretariat's involvement in, the Group of Eight 3R (reduce, reuse and recycle) Action Plan – and the Conference on Resource Efficiency, which was jointly organized by the Organization for Economic Cooperation and Development (OECD) and UNEP. The Committee took note of the information presented by the Secretariat.

## I. Legal matters

78. The Committee took up the sub-item at its 3rd session, on the afternoon of Tuesday, 24 June.

### 1. Implementation of decision V/32

79. The Committee had before it a note by the Secretariat on the implementation of decision V/32 on enlargement of the scope of the Trust Fund to Assist Developing and Other Countries in Need of Assistance in the Implementation of the Basel Convention (UNEP/CHW.9/27). It also had before it an information document containing responses received pursuant to decision OEWG-VI/14 (UNEP/CHW.9/INF/26).

80. Following a brief introduction by the representative of the Secretariat, the Committee approved the draft decision contained in document UNEP/CHW.9/27, as orally amended, for consideration and possible adoption by the Conference of the Parties.

### 2. Enforcement: national legislation and other measures adopted by Parties to implement the Basel Convention and to combat illegal traffic

81. The Committee had before it a note by the Secretariat on national legislation and other measures adopted by Parties to implement the Basel Convention and to combat illegal traffic (UNEP/CHW.9/28).

82. The Committee approved the draft decision contained in document UNEP/CHW.9/28 for consideration and possible adoption by the Conference of the Parties.

### 3. Basel Protocol on Liability and Compensation

83. The Committee had before it a note by the Secretariat on the Protocol on Liability and Compensation for Damage resulting from Transboundary Movements of Hazardous Wastes and their Disposal (UNEP/CHW.9/29).

84. The Committee approved the draft decision contained in document UNEP/CHW.9/29, as orally amended, for consideration and possible adoption by the Conference of the Parties.

### 4. Addressing the interpretation of paragraph 5 of article 17 of the Basel Convention

85. The Committee had before it a note by the Secretariat on addressing the interpretation of paragraph 5 of article 17 of the Basel Convention (UNEP/CHW.9/30), in addition to an information document containing comments received pursuant to decisions VIII/30 and OEWG-VI/16 (UNEP/CHW.9/INF/27).

86. The representatives of several countries expressed support for the legal opinion issued by the United Nations Office of Legal Affairs in 2004, according to which what was termed the “current time” approach should be adopted in interpreting paragraph 5 of article 17 of the Basel Convention. One representative stressed the legal nature of the issue at stake and cautioned against adopting a one-sided political approach, since the outcome of the discussion would affect not only the operation of the Convention but also that of other international treaties. Another contended that the Ban Amendment was based on the false premise that developing countries were unable to process waste in an environmentally sound manner. Some small developed countries depended on waste recycling facilities in countries that were not members of OECD because economy-of-scale considerations precluded the establishment of such facilities in their own territories. Paragraph 2 (d) of article 4 of the Convention did not provide for a ban on transboundary movements of hazardous wastes between different categories of Parties but for a reduction of such movements to the minimum level consistent with their environmentally sound and efficient management. If the Ban Amendment entered into force, however, it would outlaw currently legal transboundary movements.

87. Other representatives expressed a preference for the “fixed time” approach. One emphasized that the legal complexity of the issue under discussion should not blur the political importance of the obligations assumed by countries that accepted the Ban Amendment. Another, representing a group of countries, pointed out that the Vienna Convention on the Law of Treaties entrusted parties with ultimate responsibility for reaching agreement on the interpretation and application of treaties, including provisions on the entry into force of amendments. He urged the Parties to agree on an interpretation of paragraph 5 of article 17 of the Basel Convention that would lead to the early entry into force of the Ban Amendment. Such action would be consistent with the agreement already reached on the interpretation of other multilateral environmental agreements such as the Convention on International Trade in Endangered Species of Wild Fauna and Flora and the Convention on Wetlands of International Importance especially as Waterfowl Habitat (the Ramsar Convention).

88. The representative of a non-governmental organization said that the entry into force of the Ban Amendment was essential both in legal terms and to send a strong global message. Even where developing countries had environmentally sound management facilities, there were other important issues of occupational health, safety training and labour rights to be taken into account. Adoption of the “current time” approach would kill the Ban Amendment, since ratification by 130 countries would be required for its entry into force. In the meantime, the ruthless exploitation of developing countries for the dumping of hazardous wastes continued unabated.

89. Following the discussion of the sub-item, the Committee decided to set up a contact group, to be chaired by Mr. Jürg Bally (Switzerland), to seek agreement on resolving some of the remaining contentious issues in the Open-ended Working Group’s non-exhaustive list of possible elements for a draft decision, contained in document UNEP/CHW.9/30. The draft decision would then be submitted for consideration and possible adoption by the Conference of the Parties, without further discussion by the Committee of the Whole.

## **5. National definitions**

90. The Committee had before it a note by the Secretariat on national definitions of hazardous wastes (UNEP/CHW.9/31).

91. The Committee approved the draft decision contained in document UNEP/CHW.9/31 for consideration and possible adoption by the Conference of the Parties.

## **6. Article 11 agreements and arrangements**

92. The Committee had before it a note by the Secretariat on article 11 agreements and arrangements (UNEP/CHW.9/32).

93. The Committee approved the draft decision contained in document UNEP/CHW.9/32 for consideration and possible adoption by the Conference of the Parties.

## **7. Article 5 on designation of competent authorities and focal points**

94. The Committee had before it a note by the Secretariat on the designation of competent authorities and focal points (UNEP/CHW.9/33).

95. The Committee approved the draft decision contained in document UNEP/CHW.9/33 for consideration and possible adoption by the Conference of the Parties.

## **J. Dismantling of ships**

96. The Committee took up the sub-item at its 1st session, on the afternoon of Monday, 23 June. The Committee had before it a note by the Secretariat on the environmentally sound management of ship dismantling and the Joint Working Group of the International Labour Organization (ILO), the International Maritime Organization and the Basel Convention on Ship Scrapping (UNEP/CHW.9/34), and information documents on work by the Marine Environment Protection Committee of IMO on ship recycling (UNEP/CHW.9/INF/28), on comments received pursuant to decisions VIII/11 and OEWG-VI/7 (UNEP/CHW.9/INF/29) and on equivalent levels of control established under the Basel Convention and the draft international convention on the safe and environmentally sound recycling of ships ("ship recycling convention") (UNEP/CHW.9/INF/30).

97. Introducing the sub-item, a representative of the Secretariat said that IMO was expected to adopt the ship recycling convention at a diplomatic conference in Hong Kong, China, in May 2009. Drawing attention to the draft decision contained in paragraph 9 of document UNEP/CHW.9/34, she said that the Conference might wish to request the Open-ended Working Group to develop criteria for assessing whether the ship recycling convention as adopted established an equivalent level of control to that existing under the Basel Convention. The criteria would be submitted for consideration by the Conference of the Parties at its tenth meeting.

98. She also explained that the third session of the Joint Working Group of ILO, IMO and the Basel Convention on Ship Scrapping would be hosted by ILO in October 2008 in Geneva and would focus on technical cooperation activities prior to the entry into force of the ship recycling convention. China, the Gambia, Jamaica, the Russian Federation and the United Kingdom of Great Britain and Northern Ireland had been designated to represent the Basel Convention in that context.

99. On technical cooperation projects, she noted that a global programme for sustainable ship recycling was in development and in its consultative phase. The project, to be undertaken in partnership with stakeholders from Governments, industry, civil society and donor organizations, was intended to assist ship recycling countries in South Asia to prepare for the entry into force of the ship recycling convention. She called for Parties to consider making financial or in-kind contributions to facilitate the programme's development and implementation.

100. Several representatives expressed support for the development of assessment criteria. One representative drew attention to the need to clarify the concept of "level of control" under the Basel Convention and the draft ship recycling convention. Another reported on a pilot project to test existing guidelines by dismantling one or two ships.

101. The representative of IMO welcomed the participation of Parties to the Basel Convention in the negotiations on the draft ship recycling convention, which was thereby acquiring a holistic character. He trusted that a future decision by the Conference of the Parties would ensure that the duplication of regulatory instruments on ship recycling was avoided.

102. The representative of a non-governmental organization said that the ship recycling convention, as currently drafted, failed to guarantee a level of control equivalent to that of the Basel Convention. The representative of another non-governmental organization stressed the importance of defining the responsibility of different actors, for instance for pre-cleaning. Both representatives called on the Parties to the Basel Convention to urge IMO to close existing loopholes that allowed parties to circumvent basic requirements.

103. The Committee agreed to establish a contact group, to be chaired by Mr. Roy Watkinson (United Kingdom), to consider the matter further.

104. The Committee resumed consideration of the sub-item at its 5th session, on the afternoon of Wednesday, 25 June, at which time it considered a draft decision prepared by the contact group. The Committee approved the draft decision for consideration and possible adoption by the Conference of the Parties.

## **K. Financial matters**

105. The Committee took up the sub-item at its 2nd session, on the morning of Tuesday, 24 June. The Committee had before it a note by the Secretariat on the programme budget for the biennium 2009–2010 (UNEP/CHW.9/35) and a note by the Secretariat providing information on financial matters (UNEP/CHW.9/31/Rev.1).

106. The Executive Secretary gave a slide presentation on the programme budget for the biennium 2009–2010. As requested by the Conference of the Parties in decision VIII/33, she presented three budget scenarios for consideration: one based on the Executive Secretary's assessment of the required rate of growth of the programme budget; one based on increasing the operational budget from the 2007–2008 level by 10 per cent in nominal terms; and another based on maintaining the operational budget at the 2007–2008 level in nominal terms. She stressed the need for a closer link between the prioritization of programme activities, based on the provisions of the Convention and the decisions of the Conference of the Parties, and the financial resources available, which she said would enable a more realistic estimation of costs and budgetary requirements.

107. She showed, in graphic form, the implications of the three scenarios for professional staffing and administrative support, meetings, travel and the strategic plan focus areas, noting that the latter two budget scenarios would have an increasingly negative impact on the functioning of the Secretariat and on the programmes and activities undertaken. In recent bienniums part of the budget had been covered by drawing on the reserve of the Basel Convention Trust Fund. The reserve had fallen to a level where that option was no longer possible, however, and an increase in contributions would be needed to fund all three scenarios. In conclusion, she suggested that the working group considering the budget and work programme should make recommendations on which activities in the programme budget were to be funded from the Basel Convention Trust Fund (assessed contributions) and which from the Trust Fund to Assist Developing Countries and other Countries in Need of Technical Assistance in the Implementation of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (Technical Cooperation Trust Fund) (voluntary contributions). Those recommendations would determine the priority of activities, the required staffing and financial resources and the required budget increase.

108. During the ensuing discussion several representatives praised the transparency and results-oriented focus of the programme budget, though one representative lamented the lack of a concise report in narrative style of the Secretariat's activities since the previous meeting of the Conference of the Parties.

109. There was no consensus on which scenario was preferable. Some representatives expressed support for zero nominal growth, with savings derived from improved efficiency and better use of available resources. One representative said that budgetary priority should be given to substantive activities, rather than administrative activities, while another, in favouring the 10 per cent growth option, emphasized the advisory role of the Secretariat and the need to maintain its capacity to fulfil that function. Some representatives said that core activities should be funded from the core budget and not from voluntary contributions.

110. Several representatives, noting that the three budget scenarios were predicated on full payment of assessed contributions by Parties, urged all Parties to fulfil their obligations in that respect, reducing the burden on those who did contribute and facilitating the Secretariat's work. The Secretariat was requested to report on its efforts to secure the payment of outstanding assessed contributions.

111. Some representatives called for any budget recommendations to take into account the continuing process for greater cooperation and coordination among the Basel, Rotterdam and Stockholm conventions, which would enable sharing of specific administrative and service costs.

112. Given the shortcomings of all three possible budget scenarios, it was suggested that a three-year budget cycle be followed for the next period. A one-time triennial budget could yield a number of benefits, including savings through the reduced frequency of meetings over the period, and bring the Basel Convention budget cycle into line with the UNEP and Stockholm Convention biennial budgets, as recommended by the ad hoc joint working group on enhancing cooperation and coordination. Some flexibility in the use of appropriations in the third year would be necessary so that the budget could be adapted to reflect decisions taken by the joint extraordinary conferences of the Parties in 2010. Several representatives expressed interest in pursuing that proposal further.

113. Following the discussion, the Committee agreed to establish a contact group, to be chaired by Mr. Kárel Bláha (Czech Republic) and Mr. Dessalegne Mesfin (Ethiopia), to consider the matter further. Subsequently, Mr. Garnier (Switzerland) took over as chair from Mr. Bláha, who was prevented by other commitments from continuing in that position.

114. The Committee resumed consideration of the sub-item at its 6th session, on the morning of Friday, 27 June. The chair of the contact group gave a report on budgetary and financial matters, following which the Committee agreed to refer the matter to the Conference of the Parties for consideration without further discussion by the Committee.

## **L. Resource mobilization and sustainable financing**

115. The Committee took up the sub-item at its 3rd session, on the afternoon of Tuesday, 24 June. The Committee had before it a note by the Secretariat providing a review of the implementation of decision VIII/34 (UNEP/CHW.9/36).

116. The representative of the Secretariat gave a brief report on the subject, including on matters such as progress in mobilizing resources, increased coordination with the Rotterdam and Stockholm conventions, clarifying links to the Millennium Development Goals, spearheading economic activities on developing a cost-benefit analysis framework and a guide on the costs of inaction, new ways of enhancing resource mobilization, for example through the Multilateral Fund for the Implementation of the Montreal Protocol and the Global Environment Facility, and the costs and benefits of implementing the Convention.

117. Many representatives expressed satisfaction at the Secretariat's achievements in securing additional resources, although it was noted that there were activities scheduled for the previous biennium had not been undertaken owing to lack of resources.

118. A representative of a regional integration organization said that future work on resource mobilization should be considered in the context of the review of the Strategic Plan and that a new decision on the issue from the Conference of the Parties at the current meeting was not required as decision VIII/34 provided a good framework. That comment was endorsed by some other representatives.

119. Following the discussion, the Committee agreed to refer the matter to the contact group on financial matters for further consideration.

120. The Committee resumed consideration of the sub-item at its 5th session, on the afternoon of Wednesday, 25 June. In view of the timing difficulties experienced by the contact group on financial matters in fully addressing the resource mobilization decision, the Chair took the initiative to request the contact group on strategic planning and evaluation to consider it. That contact group was concerned about time constraints that might preclude it from reviewing the matter and discussion of the issue was accordingly postponed until further notice. One representative said that the decision on the issue adopted by the Conference of the Parties at its eighth meeting was a comprehensive decision and expressed the view that a new decision might not be necessary at the current meeting of the Conference.

## **IV. Work programme of the Open-ended Working Group (agenda item 8)**

121. The Committee took up the item at its 5th session, on the afternoon of Wednesday, 25 June. The Committee had before it a note by the Secretariat on the draft work programme of the Open-ended Working Group for 2009–2010 (UNEP/CHW.9/37) and a compilation of comments received from Parties on the draft work programme (UNEP/CHW.9/INF/36).

122. Introducing the item, the representative of the Secretariat outlined the components of the draft work programme and said that comments on the programme had been received from three Parties.

123. Some discussion followed on the future status of the Open-ended Working Group. One representative said that while the Open-ended Working Group had fulfilled an important role in the past, financial and other benefits might be realized through its reconstitution as a technical group. Another representative said that at least one meeting of the Open-ended Working Group in the intersessional period between meetings of the Conference of the Parties was necessary for the Convention to be implemented effectively.

124. The Committee approved the draft decision contained in document UNEP/CHW.9/37 for consideration and possible adoption by the Conference, subject to adjustments that might need to be made in the light of the outcomes of the contact group on budgetary matters.

## **V. Other matters (agenda item 11)**

125. The Committee took up the item at its 3rd session, on the afternoon of Tuesday, 24 June.

## **A. Organization of the eleventh meeting of the Conference of the Parties (2012)**

126. The Committee took up the sub-item at its 3rd session, on the afternoon of Tuesday, 24 June. The Committee had before it a note by the Secretariat on the organization of the eleventh meeting of the Conference of the Parties.

127. The Executive Secretary gave a presentation on the sub-item, pointing out that, although article 15 of the Convention specified that evaluations should be carried out at no more than six-year intervals, only one evaluation had taken place since the Convention had entered into force. She suggested, therefore, that the moment was opportune for such an exercise, which would focus on the key concepts and areas of the Convention as a pointer to changes that might be necessary. It was proposed that the results be presented at the eleventh meeting of the Conference of the Parties, which would mark the twentieth anniversary of the Convention's entry into force.

128. Many representatives supported the proposed evaluation, but concern was expressed at such issues as the timing of the initiative, the ambitious and broad scope of the evaluation, the lack of sufficient clarity of purpose in the review and the danger that the long lead-in time before the results of the evaluation were made known could prejudice the entry into force of the Ban Amendment and the conclusion of other reviews on aspects of implementation such as cooperation and coordination. Several representatives stressed that any evaluation should concentrate on the extent to which the key goals of the Convention had been or were being attained, as that would indicate the direction of future activities.

129. Following the discussion on the sub-item, the Committee agreed that the matter should be taken up in the informal consultations convened by Mr. Bailey (as see chapter III, section A, of the present report), for consideration in the context of deliberations on strategic planning.

## **B. UNEP Governing Council decision 24/5 on waste management**

130. The Committee took up the sub-item at its 6th session, on the morning of Friday, 27 June. The Committee had before it a note by the Secretariat on UNEP Governing Council decision 24/5 on waste management. The representative of the Secretariat reported on progress made in preparing a report on waste management pursuant to decision 24/5. The Committee took note of the information provided by the Secretariat.

## **VI. Closure of the sessions of the Committee of the Whole**

131. The Committee completed its consideration of the items entrusted to it by the Conference of the Parties at noon on Friday, 27 June 2008.