



SC COP6 AND BC COP11 HIGHLIGHTS: FRIDAY, 3 MAY 2013

The Ordinary and Extraordinary Meetings of the COPs to the BC, RC and SC convened for a sixth day on Friday, 3 May 2013. Delegates met throughout the day in plenary to consider issues under Stockholm Convention COP6, and Basel Convention COP11.

Contact groups on Compliance and Legal Matters, Budget and Synergies, and Technical Assistance and Financial Resources, Strategic Matters, and Technical Matters, met throughout the day.

STOCKHOLM CONVENTION (SC) COP6

A brief plenary session, chaired by SC COP6 President Álvarez, convened during the morning to “virtually” adopt outstanding SC decisions. Delegates agreed that an additional SC COP6 plenary would convene on Thursday, 9 May.

MEASURES TO REDUCE OR ELIMINATE RELEASES FROM INTENTIONAL PRODUCTION AND USE:

Exemptions: President Álvarez introduced (UNEP/POPS/COP.6/CRP.11 and CRP.21), on the process for the evaluation of progress made toward elimination of BDEs and the continued need for specific exemptions. President Álvarez said the two CRPs could be harmonized by adopting SC CRP.21 and merging it with SC CRP.11. COP6 agreed to merge the two, and added to SC CRP.11 a paragraph establishing an intersessional working group. COP6 then “virtually” adopted SC CRP.11, as amended by SC CRP.21.

MEASURES TO REDUCE OR ELIMINATE RELEASES FROM UNINTENTIONAL PRODUCTION:

President Álvarez introduced (UNEP/POPS/COP.6/CRP.8/Rev.1), on guidance on BAT/BEP, and COP6 “virtually” adopted, SC CRP.8/Rev.1.

Measures to reduce or eliminate releases from wastes:

President Álvarez introduced (UNEP/POPS/COP.6/CRP.18), a submission by the SC President inviting the BC to carry out work related to HBCD, including, on disposal and low-POPs content. SC COP6 “virtually” adopted the draft decision.

IMPLEMENTATION PLANS:

President Álvarez introduced (UNEP/POPS/COP.6/CRP.3/Rev.1 as amended by Canada. NORWAY proposed inserting text on labeling of products or articles containing POPs, and COP6 “virtually” adopted SC CRP.3/Rev.1 as amended.

EFFECTIVENESS EVALUATION: Bettina Hitzfeld (Switzerland) reviewed changes to the appendix of SC CRP.13 by the Friends of the President Group, including increasing the number of experts designated by parties to the effectiveness evaluation committee from five to ten, and consequently increasing total membership from nine to 14 experts. The Joint Secretariat explained the committee meeting will be held “after the beginning of 2016,” and before the next COP. SC COP6 then “virtually” adopted SC CRP.13.

REPORTING: President Álvarez introduced two documents on national reporting pursuant to Article 15 (UNEP/POPS/COP.6/26 and SC CRP.22). The Joint Secretariat proposed adding

to COP.6/26/Add.1 text updating the reporting format to include HBCD, and the COP accepted this insertion, and was “virtually” adopted.

BASEL CONVENTION (BC) COP11

BC COP11 President Franz Perrez (Switzerland) opened BC COP11 (UNEP/CHW.11/1 and Add.1).

ORGANIZATIONAL MATTERS: Election of officers:

President Perrez invited regional groups to nominate new Bureau members for a decision next week. The EU favored ending an expanded bureau as provided by decision BC COP.6/26, and asked the Secretariat to amend the draft decision to reflect this.

Organization of work: Delegates adopted the organization of work (UNEP/FAO/CHW/RC/POPS/EXCOPS.2/INF/2/Rev.1).

Credentials: President Perrez announced that credentials should be submitted at the latest by Thursday, 9 May, and noted only original credentials would be accepted.

MATTERS RELATED TO THE IMPLEMENTATION OF THE CONVENTION:

Strategic Issues: Follow-up to the Indonesian-Swiss

Country-led Initiative (CLI): President Perrez introduced discussion on the follow-up to the Indonesian-Swiss CLI to improve the effectiveness of the BC. The Joint Secretariat introduced the documents (UNEP/CHW.11/3, 3/Add.1, 3/Add.2, INF/2-5 and INF/34), along with a BC CRP.3 submitted by Switzerland and Canada.

The co-chairs of the technical expert group on ESM, Kazuhiko Takemoto (Japan) and Mohammed Khashashneh (Jordan), reported the framework includes: a common understanding of ESM; tools to support and promote ESM implementation of ESM; and strategies to implement ESM.

SWITZERLAND, also on behalf of Canada, noted BC CRP.3 builds on the framework and identifies priority areas for further work.

The EU, Kenya for the AFRICAN GROUP, JAPAN and CHINA welcomed the framework. CANADA objected to the inclusion of reporting provisions commenting that this is already expected under annual reporting.

JAPAN and ARGENTINA stated BC CRP.3 provides a good basis for further discussion, which were referred to the contact group on Strategic Matters.

President Perrez then opened the floor for the discussion of Ban Amendment.

The EU and SWITZERLAND welcomed additional ratifications of the Ban Amendment.

CÔTE D’IVOIRE reported that his country’s ratification would be submitted soon. ISRAEL informed it was in the process for ratification. PAKISTAN expressed concern with provision of ESM technologies associated with the ratification.

President Perrez then opened the floor for the discussion on the draft glossary of certain items (UNEP/CHW.11/3/Add.2).

Supporting development of a glossary the EU, with NORWAY and JAPAN suggested discussing it in a contact group, and parties agreed to revisit this matter Saturday.



Strategic framework: The Joint Secretariat introduced UNEP/CHW.11/4 and INF/6. Nigeria, for the AFRICAN GROUP, underscored that many countries lack capacity to identify wastes in Annexes I or IX.

NORWAY, with the EU, suggested the COP or OEWG review draft baseline, and changes to the submission of information. CANADA expressed concern that few parties provided information used to establish the baseline.

Parties agreed to work with the Joint Secretariat to develop a new document.

Scientific and Technical Matters: Technical guidelines: President Perrez introduced the documents (UNEP/CHW.11/7/Add.1) on transboundary movements of e-waste.

ALGERIA underlined the need to build on success stories, and LEBANON, EGYPT, NIGER and the PHILIPPINES provided examples. KENYA and EGYPT called for support for regional centres.

The EU and AUSTRALIA called for clarity on the components covered by the guidelines. CHINA, IRAQ, MOROCCO and the DOMINICAN REPUBLIC called for a clear definition of e-waste and distinction between waste and non-waste. The REPUBLIC OF KOREA underlined the need to identify used electronics.

JAPAN called for consideration of the procedure for transboundary movement of used equipment intended for direct reuse, as opposed to e-waste. Highlighting the importance of the recycling sectors for some developing countries, CANADA preferred to not restrict items for recycling. THAILAND supported refurbishment in environmentally-sound facilities.

UGANDA reported its “rapid generation” of e-waste caused by the import of end-of-life products. VENEZUELA said the BC should ensure countries take responsibility for their e-waste.

TOGO called for international cooperation to manage e-waste in countries with the capacity to do so. SRI LANKA noted that electronic products exported to developing countries quickly become e-waste. YEMEN called for the prohibition of illicit trade in waste to developing countries.

The US preferred that the contact group focus on the goals of the guidelines, address real-world situations and remove references to voluntary procedures. Stressing that the definitions in the guidelines concerning waste and non-waste have been influenced by commercial actors and therefore compromise the integrity of the Ban Amendment, the BASEL ACTION NETWORK (BAN) explained not all electronics are repairable and called on parties not to adopt the guidelines.

Delegates established a Contact Group on Technical Matters, co-chaired by Michael Ernst (Germany) and Che Asmah Ibrahim (Malaysia).

Amendments to the annexes to the BC: The Joint Secretariat introduced UNEP/CHW.11/8 and INF/17 on applications for new entries to Annex IX to the BC.

EGYPT noted the Annex poses challenges for his country, pointing in particular to the management and movement of waste across borders. PAKISTAN called for an in-depth analysis of the proposals prior to a decision.

The Joint Secretariat then introduced an information document on the experience of parties in using technical guidelines for the ESM of used tyres, of wastes consisting of elemental mercury and wastes containing or contaminated with mercury and of co-processing of hazardous waste in cement kilns (UNEP/CHW.11/INF/16). The EU requested, and delegates agreed, that the Secretariat prepare a procedural document on how to update the technical guidelines on synergies with the Minamata Convention.

Classification and hazard characterization of wastes: The Joint Secretariat introduced the document on the review of cooperation with the World Customs Organization (WCO) and its Harmonized System Committee (UNEP/CHW.11/9).

LEBANON and LIBYA called for training customs officers on the harmonized system. The EU supported continuing with the process of including wastes covered by the Convention in the WCO Harmonized Commodity Description and Coding System.

ENVIRONMENTALLY SOUND DISMANTLING OF SHIPS: The Joint Secretariat introduced the document (UNEP/CHW.11/16), and the IMO highlighted activities to support the voluntary implementation of the Hong Kong Convention on the Safe and Environmentally-Sound Recycling of Ships and promote ratification.

PAKISTAN, BANGLADESH and INDIA outlined efforts in this area. LEBANON said that, in absence of national regulations, his country uses the BC.

EGYPT underlined the need to address problems related to transit of ships to recycling centres. CHINA urged all parties to ratify the Hong Kong Convention.

The NGO SHIPWRECKING PLATFORM urged the BC to assume responsibility for the flow of toxic ships to developing countries and to clarify the coexistence of the Hong Kong Convention and BC.

BAN said that new EU decisions on ship recycling contravene its responsibilities under the BC and the Ban Amendment, and with CIEL, recalled that ships are considered waste under the Convention.

The SOUTH ASIA CO-OPERATIVE ENVIRONMENT PROGRAMME emphasized the need for “necessary precautions” to protect the environment, in particular, marine environmental resources.

The COP “virtually” adopted the proposed draft decision as contained in UNEP/CHW.11/16.

OPERATIONS AND WORK PROGRAMME OF THE OEWG FOR 2014–2015: The Joint Secretariat introduced the documents (UNEP/CHW.11/20 and 20/Add.1) on a revised draft work programme for the BC OEWG as well as three options for working modalities: maintain current format; modify the meeting format with the same institutional arrangement; or dissolve the OEWG and create a Scientific and Technical Committee (STC).

VENEZUELA preferred retaining the current OEWG. BAHRAIN, the EU and JAPAN supported a modified OEWG. THAILAND supported an STC.

Many parties supported proposals to increase the efficiency and cost-effectiveness of the OEWG, but several, including ARGENTINA, requested an in-depth review of benefits and drawbacks, and others, including SWITZERLAND, NORWAY and COSTA RICA, called for further discussion. CHINA noted the value of the OEWG as a forum for capacity building. CANADA suggested the Secretariat or a time-limited interessional group further review the options.

The Strategic Matters Contact Group was mandated to consider this further.

CONTACT GROUPS

TECHNICAL MATTERS: The contact group, co-chaired by Michael Ernst (Germany) and Che Asmah Ibrahim (Malaysia), met in the afternoon and evening to begin consideration of technical guidelines on e-waste and on POPs, waste-related elements of HBCDs, work on implementation plans under Article 7 of the SC, BAT/BEP guidance, technical guidelines for mercury waste and amendments to Annex IX of the BC. Delegates agreed to begin with a Chair’s text on the contentious issues on e-waste.

STRATEGIC MATTERS: Co-chaired by Alberto Sontos Copra (Argentina) and Jiane Stratford (UK), the group met in the afternoon. The Joint Secretariat noted that the group’s mandate is to review the comments made to the draft framework for the ESM of hazardous wastes and other wastes (UNEP/CHW.11/3, Add.1 and 2), consider the follow-up actions and discuss a draft decision.

The EU highlighted the importance of the framework and introduced editorial amendments it made, which the group then discussed.

IN THE CORRIDORS

Friday saw delegates shift their attention from protecting human health and the environment from POPs, to controlling the transboundary movement of hazardous wastes and their disposal.

NGOs spoke out strongly against recent EU legislation on the Ship Recycling Regulation, which withdraws end-of-life ships from the EU’s implementation of the BC, and addresses these ships under the yet-to-come-into-force Hong Kong Convention. By the evening reception, though, a more complex picture emerged, as delegates discussed the matter in more judicious terms. One NGO participant recalled the issue arose at COP10, and anticipated ongoing discussions at this COP.