

## BRS CONVENTIONS COPS HIGHLIGHTS: SATURDAY, 29 APRIL 2017

Plenary convened in a joint session of the BRS COPs on Saturday morning for reports from contact groups. BC COP13 convened in the morning and afternoon. Contact groups met throughout the day.

### JOINT SESSIONS OF THE BRS COPS

In the morning, plenary heard reports from the contact groups on: BC strategic matters; BC compliance; synergies and joint issues; and budget.

On enhancing effectiveness of the RC, Andrew McNea (Australia), Co-Chair of the open-ended contact group, reported around 40 countries participated in the discussion. INDIA expressed concern about discussions on the proposed amendments to the RC. SUDAN emphasized that the mandate of the group did not include consideration of voting.

RC COP8 President Perez recalled the mandate, which is to “develop an outcome on the way forward to enhance effectiveness of the RC, taking note of FAO/RC/COP.8/16 and INF/20,” noting that the latter document includes a list of options discussed in the intersessional meeting, including introducing a voting system.

### BASEL COP13

#### STRATEGIC ISSUES: Follow-up to the Indonesian-Swiss CLI to improve the effectiveness of the Basel Convention: *Legal clarity*: The Secretariat introduced the documents (CHW.13/4 and INF/4/Add.2). Juan Ignacio Simonelli (Argentina), on behalf of the Co-Chairs of the SIWG, reported that the group’s main outcome is a draft glossary of terms that focuses on clarifying the distinction between waste and non-waste. CANADA, the lead country on review of the annexes, reported on the work undertaken since OEWG10.

SWITZERLAND, CHILE, the EU, COLOMBIA, THAILAND, NORWAY, MEXICO, ARGENTINA, INDONESIA and JAPAN supported adoption of the glossary of terms. CHINA called for further discussion of some terms to address “inconsistencies.”

INDIA supported a separate working group on the review of annexes, with IRAN noting that any decisions suggested by this proposed working group would need to be adopted by consensus. JAPAN, supported by the DOMINICAN REPUBLIC, stressed the need for the working group to be open, transparent and reflect all views. The EU called for careful assessment of the budgetary implications of an additional intersessional working group.

SWITZERLAND indicated possible merit in review of Annex II (categories of wastes requiring special consideration). The DOMINICAN REPUBLIC called for consideration of marine conservation in Annex IV (disposal operations). COLOMBIA called for modification of Annex IV to eliminate “incongruent provisions.”

Delegates agreed to forward this discussion to the contact group on BC compliance.

### LEGAL, COMPLIANCE AND GOVERNANCE

**MATTERS: Illegal traffic:** The Secretariat introduced the document (CHW.13/10). Supporting the draft decision, the EU suggested textual changes to ensure consistency with the COP12 decision.

Many developing countries called for technical assistance and financial resources, citing specific challenges. PAKISTAN called on the Secretariat to organize enforcement training for customs authorities.

INDIA called for the development of guidance to aid countries to define labelling and packaging of hazardous packages, and guidance to address issues arising from “circuitous shipping routes” carrying waste. NAMIBIA and SAMOA highlighted the need for support for border control. INDONESIA called for a repatriation mechanism. GUINEA called for support for data gathering.

CHINA welcomed the decision, expressing hope it would shift attention back to the issue of illegal trafficking. KENYA welcomed support for training port officers.

The GAMBIA called for harmonization of e-waste legislation to ensure transport vessels are stopped at the point of entry. ETHIOPIA called for technical assistance to implement national and regional e-waste legislation. LIBYA called for international e-waste enforcement regulations to ensure exporting countries are responsible for exporting obsolete products. MALI, SUDAN, IRAQ, SAMOA, SAUDI ARABIA, and KENYA highlighted problems with e-waste imported as used or secondhand goods.

BAN reported on their study using tracking devices to monitor illegal trafficking.

Delegates adopted the draft decision, pending budgetary considerations and based on the outcome on the contact group on synergies and other joint issues.

### OPERATIONS AND WORK PROGRAMME OF THE

**OEWG FOR 2018–2019:** The Secretariat introduced the documents (UNEP/CHW.13/21, and INFs 30, 42). BC COP13 President Khashashneh invited comments on the 2018-2019 OEWG work programme and options for OEWG operation. NORWAY, with URUGUAY and MEXICO, and supported by many, introduced their proposal on including marine plastic litter and microplastics in the OEWG work programme (CHW.13/CRP.26), with URUGUAY and MEXICO noting the role of the BCRs in addressing this issue.

ICELAND, SAMOA, NEW ZEALAND, THE COOK ISLANDS, AUSTRALIA, SWITZERLAND, SENEGAL, LIBYA, ECUADOR, JAMAICA, BENIN, IPEN and SCRC in SPAIN supported the Norwegian proposal, highlighting the importance of protecting marine environment from plastic pollution. NIGER,

BURKINA FASO and BENIN suggested considering plastic pollution in rivers and lakes. THE BAHAMAS noted the issue should be prioritized in the next biennium budget.

ZAMBIA introduced a proposal on nanomaterials in waste streams (CHW.13/CRP.25). THAILAND, GHANA, JORDAN, ARMENIA, NORWAY, IPEN and CIEL supported work on nanomaterials. CHINA suggested the proposed activities to be “within the scope of the BC.”

Argentina, for GRULAC, expressed concern about shortened OEWG meetings and cutbacks to interpretation at the meetings. TUNISIA called for donor support for developing country participation, noting the need for regional balance. The EU supported the current format of OEWG meetings, saying that two days of plenary with interpretation “is sufficient.”

Parties agreed to request the Secretariat to prepare a draft decision.

#### **SCIENTIFIC AND TECHNICAL MATTERS:**

**Classification and hazard characterization of wastes:** The Secretariat introduced the documents (CHW.13/7 and INF/19). BC COP13 President Khashashneh noted the possible inclusion of e-wastes in the 2022 edition of the Harmonized Commodity Description and Coding System (HS).

VENEZUELA, the EU, PERU, TRINIDAD AND TOBAGO and MOROCCO expressed appreciation for the work done by the Secretariat and the report. SERBIA underscored the need for classification of hazardous wastes in the HS to ensure compliance with the control system. MOROCCO noted that, even with national laws, non-classification of banned wastes still poses a problem. INDIA stated that there is need for the addition of other wastes to the HS. CANADA noted that the COP can be more proactive in implementation of the report’s recommendations.

Delegates agreed to adopt the draft decision, pending approval from the budget group.

**National Reporting:** The Secretariat introduced the documents (CHW.13/8, INF/20-23), highlighting the importance of reporting for parties to achieve the SDGs. Joachim Wuttke (Germany), Chair of the SIWG on national reporting, presented the group’s work to develop a draft manual for completing the format for national reporting.

Noting it had submitted a CRP with proposed revisions to the draft decision (CHW.13/CRP16), the EU suggested waiting to hear about countries’ experiences in using the guidance contained in CHW.13/INF/22 before developing guidance on further waste streams. CANADA and JAMAICA proposed to work with the EU to revise the draft decision.

TURKEY and VENEZUELA noted that the manual will guide parties’ national reporting.

Parties requested the Secretariat prepare a new draft decision in consultation with the EU, Canada and Jamaica.

#### **INTERNATIONAL COOPERATION AND**

**COORDINATION: Environmentally sound dismantling of ships:** The Secretariat introduced the document (CHW.13/16). PAKISTAN called for development of additional infrastructure for the disposal of hazardous waste generated due to the dismantling of ships. BANGLADESH highlighted the country’s ship breaking legislation, which includes provisions for the management of the hazardous wastes generated by ship breaking.

SERBIA drew attention to the importance of cooperating with the International Maritime Organization (IMO) on recycling and disposal of ships. BAN provided an update on the dumping of ships, lauding the soon-to-be-approved EU legislation on ship recycling, and calling the Hong Kong Convention criteria on ship recycling “weak.”

Delegates took note of the report by the Secretariat.

**Cooperation with the IMO:** The Secretariat introduced the document (CHW.13/18 and INF/37), highlighting the draft guidance manual on how to improve the sea-land interface. Welcoming the manual, the EU introduced CHW.13/CRP.7, containing textual proposals to amend it, including a request

to parties and others to use the guidance manual. Delegates adopted the proposed decision, as well as the guidance manual as amended by the EU, noting that there are no financial implications related to the decision.

#### **CONTACT GROUPS**

**SYNERGIES AND JOINT ISSUES:** The group discussed the draft decision on the MOU between the COPs and UNEP/FAO. After some informal consultations, the group reached an agreement which highlights that considerations for the draft MOU should not be delayed and decides to include the draft MOU as an item of the provisional agenda of the next COPs.

**BC STRATEGIC MATTERS:** The group considered Part II of the CLI decision on the expert working group on ESM and its draft work programme, with several amendments being proposed, as well as a CRP for evaluation of the Strategic Framework by its end in 2021. One party noted that the Strategic Framework is not at the heart of the Convention and said it will need to consider the best way forward before accepting the proposal.

**BC COMPLIANCE:** In the morning, the contact group reviewed the revised draft decision. Views differed how to refer to the link between the special programme and the ICC. Bilateral consultations will convene on the issue. Regarding measuring progress in the overall implementation and compliance, delegates debated how to classify compliance with their annual reporting obligation. The group reconvened in the afternoon.

**BC TECHNICAL MATTERS:** The contact group discussed a draft decision put forward by GRULAC in a CRP. Participants agreed: that the TGs on incineration on land (D10) and on specially-engineered landfill (D5) should be updated; and to include in the OEWG’s 2018-2019 work programme consideration on whether the TGs on hazardous waste physico-chemical treatment (D9) and biological treatment (D8) should be updated. One developed country, opposed by several others, suggested adding an invitation to experts from the SC and Minamata Convention to participate in the update of the TGs. The paragraph was deleted.

**TECHNICAL ASSISTANCE AND FINANCIAL RESOURCES:** The group discussed the draft decision on SCRCs, including new text on the role of the centres in addressing marine litter and microplastics. Some developed countries preferred a general request to the SCRCs to continue marine litter-related work, while some developing countries stressed the need for those working on these issues to submit a report for consideration and action by SC COP9, with others calling for the centres to engage in clean-up efforts.

#### **IN THE CORRIDORS**

On the last day of the first week of the TripleCOP, considerable effort was on display to shepherd issues – and delegates – through five contact groups and a packed plenary schedule before participants took a break for the Swiss-hosted reception. Informal consultations were held to facilitate progress on technical assistance and financial resources, which drew some ire from smaller delegations not able to field representatives to these consultations. As one delegate emphasized, these consultations “might be informal, but they discuss serious matters.”

Another delegate reflected that the first week ended with some “relatively easy” decisions, but was “mostly about sowing seeds.” Saturday’s agenda under the Basel Convention exemplified this sentiment, as delegates worked through the less contentious technical guidelines before turning to e-waste or taking up new work on marine plastic litter and nanomaterials. One delegate noted that this new work comes at the same time as the OEWG meetings are getting shorter, leaving experts “do to more with less.” With a considerable workload remaining for the week ahead, one observer predicted late nights, joking that “no one will have to count sheep to sleep.”