

BASEL COP9 HIGHLIGHTS: THURSDAY, 26 JUNE 2008

The ninth meeting of the Conference of the Parties (COP9) to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal convened in a high level segment, which consisted of a forum moderated by UNEP Executive Director Achim Steiner, to address theme of "Waste Management for Human Health and Livelihood." The legal, finance and work programme, and evaluation and strategic plan contact groups met in parallel.

HIGH LEVEL SEGMENT

WORLD FORUM ON WASTE MANAGEMENT FOR HUMAN HEALTH: Opening Addresses: COP9 President Rachmat Witoelar opened the World Forum on Waste Management for Human Health and Livelihood, saying the high level segment would raise the Convention's profile worldwide.

Steiner cautioned delegates against maneuvering issues under negotiation into "no-man's land," and asked them to recall the underlying principles of the Basel Convention. Underscoring that waste rarely has a positive impact on well-being or health, he noted the COP's focused discussions had the potential to give the Convention a new lease on life.

Katharina Kummer Peiry, Basel Convention Executive Secretary, welcomed the spirit of cooperation and constructiveness of COP9. She said waste management deserves to be included in the world's development agenda.

El-Mostafa Benlamlih, Resident Coordinator of the UN System in Indonesia, said lack of commitment to the management and reduction of waste hindered both capacity building and the attainment of the Millennium Development Goals (MDGs). He delivered a message from UN Secretary General Ban Ki-moon, in which he called upon states to provide political commitment and resources to the Basel Convention as part of the global campaign to achieve the MDGs. John Michuki, Kenyan Minister of Environment, noted that the Convention's vision had not yet been attained and that there was a lack of commitment. Reminding delegates that the Ban Amendment was still on the agenda of the conference he called for the 'fixed-time' approach to be agreed to without further delay.

Minister Witoelar delivered a message on behalf of Siti Fadilah Supari, Indonesian Minister for Health. Noting the negative impact of hazardous wastes on human health and the environment, Supari urged delegates to collaborate to control illegal traffic and ensure the ESM of hazardous wastes. She highlighted the importance of international cooperation, networking, resource mobilization, technology transfer and capacity building.

Eminent speakers' addresses: Halima Alao, Minister of Environment and Housing (Nigeria), said Africa faced both internal and external waste challenges, with weak infrastructure and low levels of awareness. She outlined impacts of hazardous wastes on human health, including miscarriages and increased mortality. She urged all stakeholders to work together to: develop innovative sustainable financing; initiate, monitor and implement projects; adopt practical strategies and policies; minimize wastes at source; and increase support to BCRCs.

Okey Ibeanu, Special Human Rights Rapporteur on Waste Issues, drew attention to the human rights dimension of hazardous waste management and said eliminating the waste trade depends on the eradication of extreme poverty and hunger. He highlighted the hazards of stockpiles and the effects of waste dumping, and noted that the movement of hazardous products and wastes continues to flourish, irrespective of international standards. Ibeanu stressed the importance of convening the first Bamako Convention COP and urged Nigeria to play a lead role in this.

Subhash Salunke, WHO, discussed the impacts of waste generated by health facilities, noting its influence on morbidity and mortality. He stressed that badly-managed hazardous wastes pose a major threat to society, including to the achievement of the MDGs.

Jean-Pierre Degré, Holcim Group Support, discussed co-processing as an alternative form of waste treatment in cement production. He emphasized that collaboration between the Basel Convention and industry could help develop and implement international guidelines for this.

Lilian Corra, International Society of Doctors for the Environment, stressed the health sector's value in promoting education and awareness about the impact of hazardous waste.

On addressing the growing problem of waste, JAPAN expressed its commitment to the 3R Initiative and the Basel Convention, and pledged US\$350,000 to the Convention in 2008.

Presentations: Jayakumar Chelaton, Thanal, introduced his organization's zero-waste initiative in rural areas, tourist hubs and hotels in India and other Asian countries, and stressed the importance of public participation in its implementation.

Muhammad Daggash, AshakaCem, described his company's biomass project, in which biomass produced by farmers is used by the company as fuel for cement production. He said this project had achieved cost reduction, provided income to farmers, reduced the use of fossil fuels, and contributed to environmental protection, poverty reduction and sustainable development.

Jim Puckett, BAN, recalled the history of the Convention and identified longstanding unresolved issues including the Ban Amendment, ship dismantling and e-waste. He underscored the failure of parties to fully implement the Convention and meet its

mandate. Regarding the Ban Amendment, he said if consensus could not be reached on the "current time approach," the decision should be taken by vote.

Phonchan Kraiwatnorsorn, Youth Venture Programme, introduced three youth projects on waste stressing their high impacts and low resource demands.

Country statements: INDIA appealed for the establishment of the South Asia BCRC, and highlighted waste minimization, the ESM of waste, the need for resources and technical support, and compliance.

Egypt, for the ARAB GROUP, underscored the importance of the ESM of waste to achieving sustainable development and to the attainment of the MDGs, and expressed concern over the present trend of illegal traffic of hazardous wastes.

SAMOA noted the plight of small island developing states in managing wastes, and welcomed partnerships to further current waste management efforts. THAILAND drew attention to the 2007 Bangkok Declaration on Environment and Health, noting its links to the Bali Declaration. CROATIA drew attention to the polluter pays principle and to national waste management initiatives.

Recognizing that the protection of human health is a key goal of the Basel Convention, the EU emphasized the value of partnerships, including with industry. ARGENTINA called upon industrial producers to internalize the costs of, and develop plans for, waste management. SWEDEN urged industry to manage wastes properly, called on governments to formulate strategies and policies, and highlighted that improved management required knowledge, awareness, and increased cooperation and coordination. JORDAN urged for more financial and technical assistance for the implementation of the Basel Convention at the regional, national and sub-national levels. TURKEY stated that, as a ship recycling country, it had experienced some difficulties with incorrect notifications. LESOTHO said that inefficient management of waste is harmful to the economic development, and asked UNEP to provide financial and technical assistance.

MALAYSIA noted the need to ensure developing countries do not become dumping grounds and urged countries to ratify the Ban Amendment. CHINA called for capacity building, controlling the transboundary movements of hazardous waste, cooperation and stiff penalties for illegal waste transfer. TANZANIA also called for the ratification of the Ban Amendment by all parties, for COP10 to be held in 2010 and for the development of a financial mechanism to ensure the functioning of the Convention. LIBYA lamented the negative effects of hazardous waste exports to developing countries and stressed the importance of managing this problem. JAMAICA called for the Ban Amendment to enter into force.

On enhancing the Convention's contribution to human health and sustainable development, the UK suggested: waste prevention; reuse, recycling and recovery; and distinguishing between hazardous and non-hazardous wastes. GERMANY emphasized the importance of an integrated product policy for the ESM of wastes, particularly the minimization of hazardous substances in products.

SWITZERLAND noted some promising signals from COP9, including: parties' willingness to review the Convention's effectiveness; commitment to closer cooperation with other conventions; and the launching and adoption of partnership initiatives.

The REPUBLIC OF KOREA stressed the importance of information sharing and technology transfer, and committed to take part in international efforts to achieve the MDGs.

The NETHERLANDS noted the role of BCRCs and stressed the importance of public participation and raising awareness at the local level. SOUTH AFRICA said inadequate waste management resulted in illness and death; and, with COSTA RICA, supported the initiative on synergies and cooperation;

and underscored the need to fund BCRCs. COSTA RICA drew attention to pilot projects in dealing with mercury and chemicals in hospitals.

TRINIDAD AND TOBAGO announced that the bill legally establishing the BCRC for the Caribbean had been passed. EL SALVADOR reported that the Salvadorian Congress had ratified the framework agreement for the Central American and Mexican BCRC.

CAMBODIA expressed appreciation for capacity building efforts, training workshops and the information material produced by the BAN.

Closing of the Forum: Achim Steiner, commended the many local and national initiatives for implementing the Convention, but noted that complementary international action is lagging. On the cost of inaction, he said those that could least afford it would bear the burden. He called on parties to lead by example and underlined new UNEP initiatives including the US\$1 million Mercury Umbrella Partnership.

CONTACT GROUPS

EVALUATION AND STRATEGIC PLAN: The contact group on the Strategic Plan met and discussed a draft decision, addressing the review of the Strategic Plan to 2010 (UNEP/CHW.9/5), the follow-up of the Strategic Plan beyond 2010 (UNEP/CHW.9/6) and the evaluation of the Convention's effectiveness as requested by Article 15(7) (UNEP/CHW.9/38). The EU noted that parties would drive the review of the Strategic Plan and the drafting of the new strategic framework, and could provide comments to the Secretariat at different stages of both processes. Participants made additions to the draft decision and a number of sections were bracketed, including references to the link between sound waste management and combating climate change and to the funding contingency of the Secretariat's role in assisting parties and BCRCs. Participants agreed to the possibility of extending the current Strategic Plan to 2011, provided that the budget contact group agreed to a triennium budget cycle, and to forward the draft decision to the COW.

LEGAL MATTERS: The legal contact group met throughout the day and continued discussions on a draft text addressing the interpretation of Article 17(5).

A proposal to resolve the issue by a decision of the parties, in accordance with the Vienna Convention on the Law of Treaties, was met with divided responses. Some said the decision must be made by consensus, while others countered that a majority decision was the only way forward. Delegates referred to the advice of the UN Office of Legal Affairs that consensus decisions would be seen as binding, and that decisions by a majority could be considered but would not automatically be accepted.

Chair Bally called for informal negotiations during the evening on a proposed compromise text and said the group will reconvene on Friday morning.

IN THE CORRIDORS

As participants milled around the candle-lit poolside at the evening reception, discussions raged on the percussive Balinese music and on expectations for the final day of COP9. One delegate sighed that 90% of the work had yet to be completed, with numerous substantive decisions contingent on the outcomes of the finance and work programme contact group discussions and informal consultations being held among interested delegations. Others hoped for a "rabbit out of a hat" in the form of a political compromise with the Ban Amendment through the COP9 President's initiative.

ENB SUMMARY AND ANALYSIS: The Earth Negotiations Bulletin summary and analysis of COP9 will be available on Monday, 30 June 2008, online at: <http://www.iisd.ca/basel/cop9/>