

DISCUSSION ON BAN AMENDMENT AND THE COUNTRY LED INITIATIVE BY INDONESIA - SWITZERLAND



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BACKGROUND (1)

COP/YEAR	RESULTS
COP I/1992	prohibition of transboundary movement of HW and other wastes for final disposal from developed countries to developing countries
COP II/1994	prohibition of transboundary movement of HW and other wastes for final disposal from OECD to non OECD countries
COP III/1995	adoption of The Ban Amendment , prohibition of transboundary movement of HW and other wastes for final disposal from Annex VII to non Annex VII countries
From 31 December 1997	prohibition of transboundary movement of HW and other wastes for final disposal or recycling and recovery from Annex VII to Non Annex VII countries
COP IV/1998	Annex VII unchange until the Amendment enters into force
COP V/1999	1st phase report analysed of issues related to Annex VII
COP VI/2002	Annex VII unchange until the Amendment enters into force, finalisation of the analysis before COP VII

BACKGROUND (2)

COP/YEAR	
COP VII/2004	Annex VII unchange until the Amendment enters into force
COP VIII/2006	Interpretation of Article 17 (5)
COP IX/2008	Interpretation of Article 17 (5)

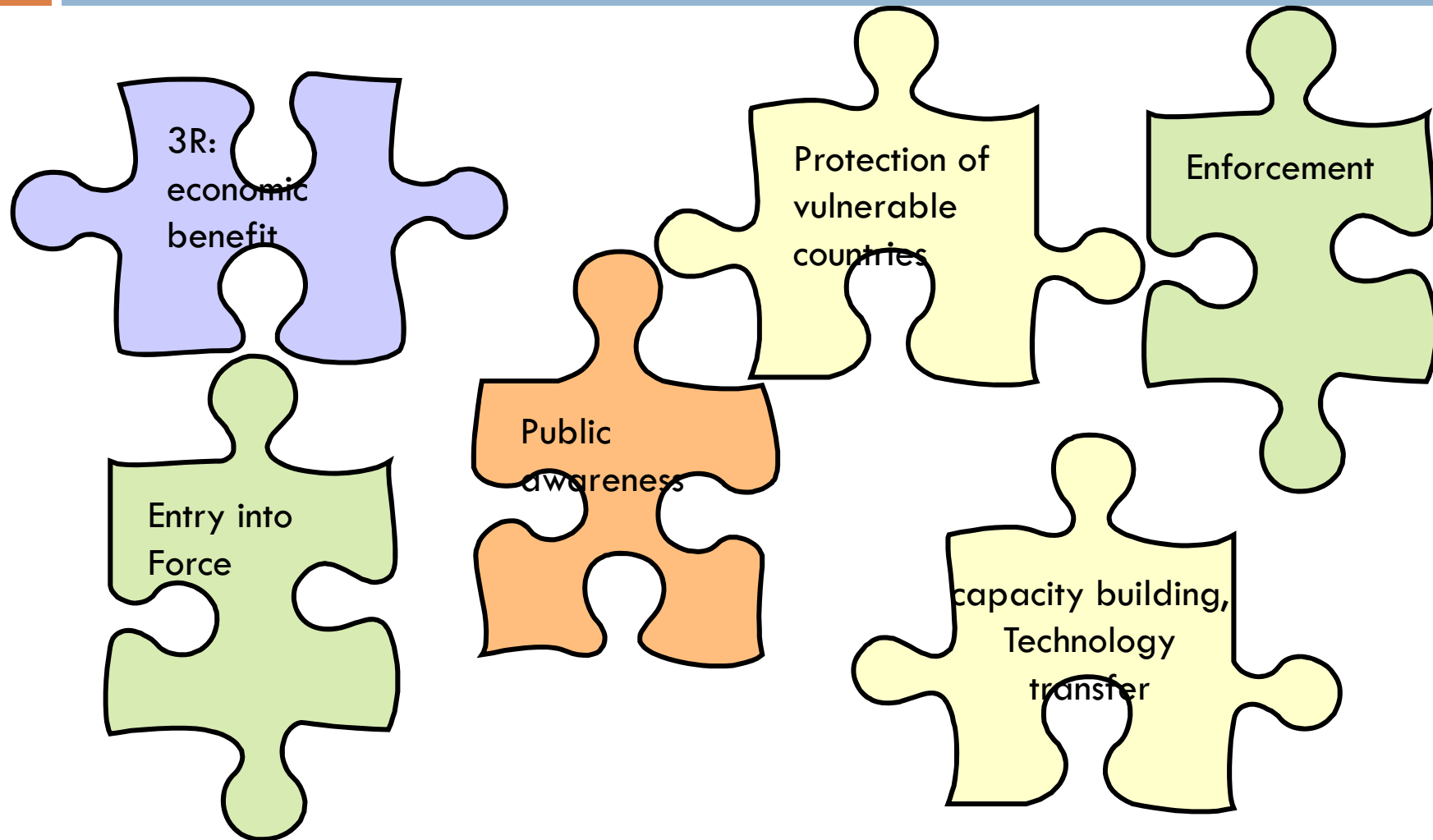
- not yet entered into force
- Dead lock: legal interpretation of [Article 17 \(5\)](#)
- Ratification by June 2008: 63 parties

THE WAY FORWARD OF THE BAN AMENDMENT

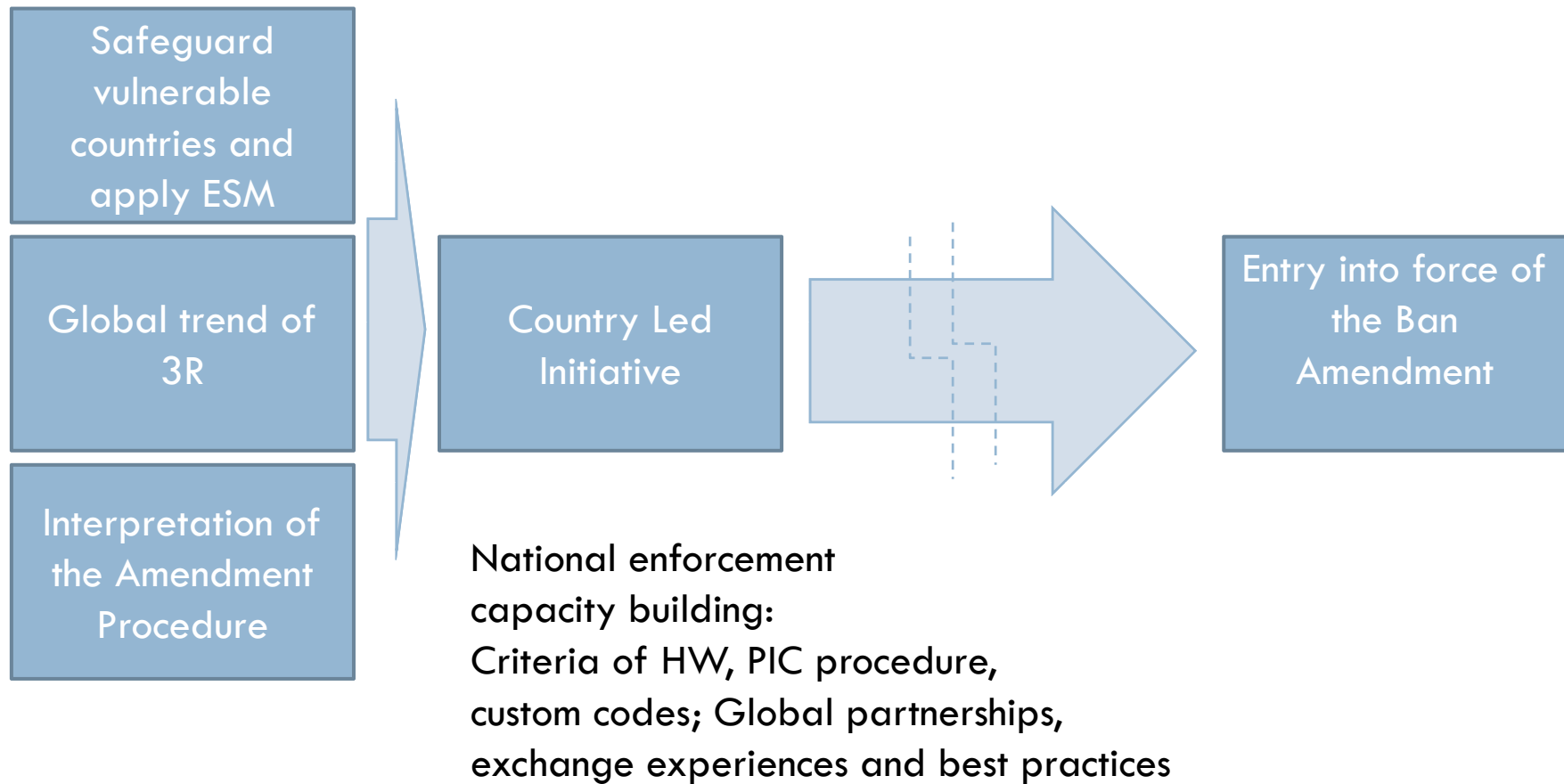


- Background: dead locked of negotiation in legal matters (interpretation of Article 17 (5)) and the urgency to move forward
- Process: Informal Delegation Luncheon, Informal Consultation, Ministerial Luncheon, discussed the President's Non Paper
- Output: Decision COP X/26: President's Statement on the Way Forward of the Ban Amendment

OVERALL PICTURE OF THE DISCUSSION OF PRESIDENT'S NON PAPER



DECISION IX/26



COUNTRY LED INITIATIVE (1)

- **Objectives:** to provide recommendation for a way forward to ensure that transboundary movement of HW especially to developing countries constitute an ESM of HW and protect developing countries from unwanted imported of HW
..... to be added: capacity building, technology transfer and public awareness
- **Approaches:** open-minded discussion, no negotiation, no position, no PRO/CON of the Ban Amendment
- **Activities:** 1st meeting (Indonesia, 2009), 2nd meeting (Switzerland, fall 2009/spring 2010), 3rd meeting (Switzerland, fall 2010/spring 2010)

COUNTRY LED INITIATIVE (2)

- **Participants:** 20 - 25 countries, those that involved in developing the Initiative and/or supported the President's Statement, regional representation, NGO and private sector representatives
- **Transparency:** meetings at permanent missions, dissemination of information through Basel Convention website
- **Current progress:** informal consultations, finalisation of TOR, selection of facilitator(s), cooperation with the SBC
- **Activities:** 1st meeting (Indonesia, 2009), 2nd meeting (Switzerland, fall 2009/spring 2010), 3rd meeting (Switzerland, fall 2010/spring 2010)
- **Output:** Recommendation that will be reported at COP 10

EXPECTATION TO THE WORKSHOP



- Up-dated information on problems of transboundary movement faced by Asian countries, and possible alternative solutions
- the ways of Asian countries could participate the Initiative



Thank you

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