

# Outcomes of the Tenth Meeting of the Conference of the Parties to the Basel Convention, 17 – 21 October 2011 Cartagena, Colombia

*“Prevention, Minimization & Recovery of Wastes”*

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*Secretariat of the Basel Convention*

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Workshop 2011 of the Asian Network for Prevention of Illegal Transboundary Movements of  
Hazardous Wastes, Shenzhen, China, 29 November – 1 December 2011

- The Tenth meeting of the Conference of the Parties to the Basel Convention (COP 10) was held from 17 to 21 October 2011 in Cartagena, Colombia
- 118 Parties participated as well as 2 non-Parties, UN agencies and intergovernmental organizations and a number of non-governmental organizations, private sector and business organizations

- **The meeting in Cartagena was a historical one**, unblocking the Ban Amendment that will ban the export of hazardous wastes from OECD to non-OECD countries. The ground for the breakthrough was prepared by the Country Led Initiative (CLI) to improve the effectiveness of the Basel Convention, initiated by the Governments of Indonesia and Switzerland at COP 9. The effort was supported by the Government of Colombia, host of the Conference
- **COP 10 adopted 29 decisions**
- COP 10, hailed as “the miracle of Cartagena” because of its turning point for the Basel Convention, also adopted the **Cartagena Declaration** on the Prevention, Minimization and Recovery of Hazardous Wastes and Other Wastes

## Strategic Framework (1):

- The COP adopted elements of a Strategic Framework (Decision BC-10/2), 2012-2021 containing:
  - The vision, guiding principles, strategic goals and objectives
  - The means of implementation
  - The indicators for measurement of achievement and performance
  - Evaluation (COP13 and COP15)

## **Strategic Framework (SF) (2):**

- Provides the roadmap for BC implementation for the next decade and beyond in a progressive manner
- Decision BC-10/2, among others:
  - Encourages Parties to take specific actions to implement the SF, through the biennial programme of work (POW)
  - Takes into account regional and national diversities
  - Calls upon parties and others to mobilize and provide resources for the implementation of the SF
  - Encourage parties and others to cooperate among themselves to promote the implementation of the SF

## Country-Led Initiative (CLI) (1):

- Based on the COP 9 President's statement on the way forward on the Ban Amendment, the Governments of Indonesia and Switzerland organized a Country-Led Initiative to improve the effectiveness of the Basel Convention
- Indonesia and Switzerland proposed a draft decision including a package of elements
- This item was considered alongside the SF

## Country-Led Initiative (CLI) (2):

COP adopted Decision BC-10/3 that contains 7 main elements:

1. Addressing the entry into force of the Ban Amendment
  - Consensus reached on the interpretation of paragraph 5 of Article 17 was an historic decision on the Ban amendment adopted in 1995 (COP-3)
  - Agreement: acceptance by  $\frac{3}{4}$  of those Parties that were Parties at the time of the adoption of the amendment (qualified fixed time approach)
  - Agreement is reached without prejudice to any other MEAs and does not compel any Party to ratify the Ban Amendment
  - With this decision, the Ban would come into force when 17 more acceptances by the Parties concerned place

## **Country-Led Initiative (CLI) (3):**

2. Developing guidelines/framework for environmentally sound management (ESM)
3. Providing further legal clarity and guidance on BC terminology and related terms + options for how to deal with end-of-life goods
4. Further strengthening BCRCs: identification of priority activities to be included in the business plans
5. Combating illegal traffic: stimulation of networks, best practices on the take back procedure, reporting of cases of illegal traffic, ICC to oversee activities
6. Assisting developing countries to prohibit imports of HW
7. Capacity building



## **Review and strengthening of the Basel Convention Regional Centres (BCRCs) (1):**

- Decision BC-10/4
- BCRCs to submit to the Secretariat Business Plans for the biennium 2012–2013 by 30 March 2012
- BCRCs to submit to the Secretariat for consideration by COP 11 activity reports for the period January 2011–June 2013 and Business Plans for 2014–2015, at least four months before the beginning of the COP 11
- Secretariat to provide guidance on effective governance and administrative arrangements for the BCRCs

## **(BCRCs) (2):**

- BCRCs to continue to strive to mobilize financial resources for the implementation of their activities with the aim of assisting Parties in the implementation of the Convention
- Urged Parties and signatories, especially donor countries, and invited other stakeholders in a position to do so and, where appropriate, multilateral donors, to provide adequate, sustainable and predictable financial and technical support directly to the BCRCs
- COP 10 noted the four documents for strengthening of the BCRCs
- Strengthening BCRCs also addressed in the SF and CLI Decisions

## Technical guidelines (1):

- COP10 adopted technical guidelines on the:
  - ESM of used and waste pneumatic tyres (Decision BC-10/6)
  - ESM of mercury wastes (Decision BC-10/7)
  - Co-processing of hazardous waste in cement kilns (Decision BC-10/8)
  - MPPI guidance document on ESM of used and end-of-life mobile phones (Decision BC-10/21)
  - PACE guidance document on ESM of used and end-of-life computing equipment (adopted without chapter on TBM, yet) (Decision BC-10/20)

## Technical guidelines (2):

- COP10 received an update on the development of:
  - Draft technical guidelines on TBM of e-waste, in particular regarding the distinction between waste and non-waste (further work was mandated, Decision BC-10/5)
  - Technical guidelines on the ESM of POPs waste (Decision BC-10/9)

## Other decisions adopted/addressed:

- Pursue cooperation with WCO on HS codes
- No decision on proposed amendments to the list of wastes contained in Annexes VII and IX (agreed procedures will be followed)
- Not to continue work on guidance papers on H10 and H11
- No decision on work with UNECE/GHS until COP11
- No decision on national classification and control procedure for wastes contained in Annex IX

## Implementation and Compliance Committee (1)

- I. **Elected 10 new members (Decision BC-10/12)**
- II. **Decision on the Report of the Committee on its work and proposed programme of work for 2012-13 (Decision BC-10/11)**
  - (a) Specific submissions:
    - Extended the scope of the Secretariat trigger between COP10 and COP11
    - Allocated USD 300'000.- to the BD implementation fund and authorized the Committee to use such funds
    - Established a legal framework programme
  - (b) General review mandate:
    - Adopted national reporting targets for 2010
    - Adopted revised form for notification of national definitions
    - Adopted form for notification of import/export restrictions

## Implementation and Compliance Committee (2)

(c) Programme of work 2012-2013: *inter alia*:

- Give priority to specific submissions
- Classify and publish parties' individual compliance performance with respect to the annual reporting obligation,
- Develop further tools to improve national reporting, such as guidance on the development of inventories,
- Develop terms of reference for cooperative arrangements on preventing and combating illegal traffic to bring together and improve cooperation and coordination between relevant entities with a specific mandate to deliver capacity-building activities, and
- Develop guidance on the take back procedure in case of illegal traffic

## **National legislation, enforcement and illegal traffic:**

- Policy guidance to Parties, requests to the Secretariat and invitations to other stakeholders on how to prevent and combat illegal traffic (Decision BC-10/13)
- Approved the instruction manual on the prosecution of illegal traffic, and requested the Secretariat to publish it and to organize trainings (Decision BC-10/18).



## National Reporting:

COP received report on progress of work and Decision BC-10/14 was adopted which, among others:

- *Requests* Parties to report for 2010 before the end of 2011 and *urges* Parties that have not yet done so to report for the year 2009 and for previous years
- *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
- *Invites* parties in a position to do so to provide funds to enable the Secretariat to develop a new online national reporting system for the Convention

## **Implementation of Decision V/32 on enlargement of the scope of the Trust Fund for emergency and compensation purposes:**

- Secretariat to develop a draft report on the expediency of the procedures under the mechanism, the adequacy of resources available for use under the mechanism and cooperation with other international organizations and agencies in responding to an emergency situation (Decision BC-10/22)

## International cooperation and coordination

- Secretariat to continue its cooperation activities and to continue seeking WTO CTE observership (Decision BC-10/15)
- Cooperation with the International Maritime Organization (IMO):
  - The Secretariat or a lead country to prepare a revised legal analysis of the application of the Basel Convention to hazardous and other wastes generated on board ships,
  - The Secretariat to develop a guidance manual, in cooperation with IMO, on how to improve the sea-land interface, and
  - Invitation to Parties to assess how far the current Basel Convention technical guidelines cover MARPOL wastes (Decision BC-10/16)

## Environmentally sound dismantling of ships:

- Continue working with the Marine Environment Protection Committee of the IMO to develop guidelines to support implementation of the Hong Kong Convention
- Develop further the programmes for sustainable ship recycling

## Partnerships

- Three decisions on: the partnership programme, PACE and MPPI (Decisions BC 10/19, 10/20 and 10/21)
- COP adopted the Partnership for Action on Computing Equipment (PACE) Work Plan 2012-2013
  - Requested the SBC to continue the active implementation of the partnership programme and to follow closely international developments in respect of public and private partnerships on waste-related issues and to seek to expand involvement in related partnerships

## Capacity building

- Decision BC-10/23:
- Secretariat to continue facilitating capacity-building activities and pilot projects in focal areas, subject to the availability of funds, including activities for the environmentally sound management of electrical and electronic waste
- Increase efforts to link the BCRCs to processes to develop project proposals under the GEF, the World Bank, regional development banks, and other donors
- Strengthen collaboration with international organizations and key partners that are directly or indirectly dealing with waste disposal or waste minimization issues, such as IOMC organizations and International Telecommunication Union (ITU)

## Financial matters

### **Programme of Work and Budget:**

- COP 10 adopted the programme budget for the Basel Convention Trust Fund in the amount of USD 4,704,226 for 2012 and USD 4,640,274 for 2013.
- The COP took note of the programme budget for the Technical Cooperation Trust Fund and invited parties, non-parties and others to make voluntary contributions to this Trust Fund

- Adopted the Financial rules for the Conference of the Parties, its subsidiary bodies and the Secretariat of the Basel Convention (Decision BC-10/28) and
- Procedure for the allocation of funding from the Technical Cooperation Trust Fund (BD) for facilitating the participation of Parties in meetings of the Conference of the Parties and Open-ended Working Group



## OEWG

- COP 10 elected the Bureau of the Open-ended Working Group for 2012-2013, and
- adopted the work programme of the Open-ended Working Group for 2012-2013

## **Enhancing cooperation and coordination among the Basel, Rotterdam and Stockholm Conventions:**

- Adopted the decision BC-10/29 on enhancing cooperation and coordination among the Basel, Rotterdam and Stockholm conventions that is identical in substance to decisions SC-5/27 and RC-5/12

## Cartagena Declaration on the Prevention, Minimization and Recovery of Hazardous Wastes and Other Wastes:

- commits to enhancing the active promotion and implementation of more efficient strategies to achieve prevention and minimization of the generation of hazardous waste and other wastes and their disposal;
- emphasizes that measures should be undertaken to achieve prevention and minimization of hazardous wastes and other wastes generated at source, to enable the decoupling of economic growth and the environmental impacts associated with waste generation;
- reaffirms that the Basel Convention is the primary global legal instrument for guiding the environmentally sound management of hazardous and other wastes and their disposal, including efforts to prevent and minimize their generation, and efficiently and safely manage that which cannot be avoided;
- encourages efforts undertaken at national level to measure and record progress in waste reduction, and to report such progress to the Basel Convention Secretariat;

# Cartagena Declaration (2)



- encourages Parties, signatories and others to develop synergistic national and regional pilot projects for waste prevention for specific waste streams of concern;
- reaffirms that the safe and environmentally sound recovery of hazardous and other wastes that cannot as yet be avoided, represents an opportunity for the generation of employment, economic growth and the reduction of poverty insofar as it is done in accordance with the Basel Convention requirements, guidelines and decisions and will not create a disincentive for their prevention and minimization;
- encourages more systematic and comprehensive global and regional efforts to improve access to cleaner production methods as well as to information on less hazardous substitutes for hazardous chemicals and materials, in partnership with relevant initiatives;
- recognizes the need to make the most of the BCRCs, which also need to be strengthened to disseminate information and practices on waste prevention and minimization as well as assist in developing pilot projects for environmentally sound management of specific waste streams of concern;
- recognizes that the ongoing synergy process in the Chemical and Waste Regime has delivered concrete and positive results, and that it can strongly contribute to improving waste prevention, minimization and recovery;



# Cartagena Declaration (3)



- acknowledges the significant contribution of the Basel public private partnerships especially the MPPI and PACE to improve waste prevention, minimization and recovery;
- welcomes enhanced engagement with other bodies, NGOs and the private sector to advance work on prevention, minimization, and recovery of hazardous and other wastes, and to develop and implement projects, waste prevention programmes and partnerships to that end;
- encourages Parties, signatories and others in a position to do so, to assist in capacity building and technology transfer for waste prevention and minimization in regions needing such assistance;
- acknowledges that prevention, minimization and recovery of wastes advance the three pillars of sustainable development, and that fulfilment of the Basel Convention's objectives is an important contribution to the United Nations Conference on Sustainable Development in Rio de Janeiro in 2012.



# Other items considered



## ☐ **Venue and date of COP 11**

- Switzerland conveyed an offer by his Government to host the eleventh meeting of the Conference of the Parties. The Conference of the Parties warmly accepted the offer and accordingly agreed that its eleventh meeting would take place in Switzerland, in 2013, at a time and location to be determined by the Secretariat in consultation with the Bureau.

## ☐ **Basel Waste Solutions Circle**

- The Bureau, together with one representative of the business and industry sector and one representative of the civil society sector, to serve as the Basel Waste Solutions Circle's admissions and awards committee
- Business and industry sector and the civil society sector to nominate one representative each to serve on the committee
- The committee further to elaborate the Circle's modalities



**For further information, please visit  
the COP 10 website:**

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**<http://www.basel.int/COP10/tabid/1571/Default.aspx>**  
(Accessible via the Basel Convention website)

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