

Establishment of Basel Convention Regional Centre for South Asia

South Asia Co-operative Environment Programme (SACEP), with the help of its member countries was able to get the decision at the CoP8 of the Basel Convention to establish a Basel Convention Regional Centre for South Asia at the SACEP Secretariat.

The 10th Governing Council of SACEP agreed for the SACEP Secretariat, Colombo, Sri Lanka to host the Basel Convention Regional Centre for South Asia.

As per the CoP decision VIII/3 of the Basel Convention, SACEP prepared a detailed proposal (Annex I) and a report of the feasibility study (Annex II) and submitted to the Open-ended Working Group (OEWG) of the Basel Convention at its sixth meeting held from 3 to 7 September 2007. As the Government of India acceded the request of the SACEP at the 10th GC to deputize its experts on various fields on specific requests by SACEP to better programme establishment, the Ministry of Environment and Forest, Government of India was kind enough to provide the services of its expert to prepare the two documents.

It was discussed at the OEWG meeting and the many countries including SACEP member countries as well as European Union supported to the proposal. Government of Russia kept the reservation saying that there are many BCRCs already established. SACEP countered the argument and said that South Asia has its unique problems of managing hazardous waste and the region is having one fifth of world's population. BCRC at Iran also raised some concerns regarding the participating countries.

The OEWG of the Basel Convention at its 6th meeting agreed to review both the detailed proposal and the feasibility study report and put up to the CoP9 of the Basel Convention which will be held on June 2008 for its consideration (Annex III).

After the OEWG meeting, SACEP have communicated with the concerned parties who raised some concerns at the OEWG meeting and received replies from two BCRCs, Indonesia (Annex IV) and Iran (Annex V).

It is requested that the 11th meeting of the Governing Council of SACEP adopt the following decision on establishment of Basel Convention Regional Centre for South Asia at the SACEP Secretariat, Colombo, Sri Lanka.

“We the members of the 11th meeting of the Governing Council of SACEP and the Environment Ministers of the South Asian countries fully support to the establishment Basel Convention Regional Centre for South Asia at the SACEP Secretariat, Colombo, Sri Lanka and decided that all South Asian countries will be members of this Centre at SACEP as decided by the 10th Meeting of the Governing Council.”

**PROPOSAL
FOR
ESTABLISHMENT OF THE BASEL CONVENTION REGIONAL CENTRE
FOR SOUTH ASIA
AT THE
SOUTH ASIA CO-OPERATIVE ENVIRONMENT PROGRAMME (SACEP)
COLOMBO, SRI LANKA**

Submitted by



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PROPOSAL FOR ESTABLISHMENT OF THE BASEL CONVENTION REGIONAL CENTRE FOR SOUTH ASIA AT THE SOUTH ASIA CO-OPERATIVE ENVIRONMENT PROGRAMME (SACEP), COLOMBO, SRI LANKA

1. BACKGROUND

The United Nations Environment Programme (UNEP) sponsored a Convention on the Control of Transboundary Movement of Hazardous Wastes and their Disposal, which was unanimously adopted in Basel, Switzerland by 126 Governments on 22nd March, 1989. The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal was ratified by 35 countries by 5 May 1992 entering into force. At present 170 Parties have ratified the Convention. The main objective of the Basel Convention is to regulate the transboundary movement of hazardous wastes and to minimize the generation of such wastes thus reducing its harmful impact on human health and environment.

Article 14 of the Convention provides for setting up of the Regional or Sub-regional Centres for Training and Technology Transfer on the management of hazardous wastes and minimization in their generation. These Centres are intended to cater to the specific needs of the regions for the implementation of the provisions of the Basel Convention. The mechanisms for setting up of the Regional Centres were discussed from the First Meeting of the Conference of the Parties (COP). A number of Basel Convention Regional Centres were planned to be located in various regions of the world and many countries expressed their interest in hosting the Regional Centres. Decision III/19 of the Third Meeting of the Conference of the Parties (COP3) to the Basel Convention identified the host countries for establishment of the Regional Centres. So far 14 Regional and Sub-regional Centres have been established (Annex-1).

2. THE PROPOSAL

South Asia Co-operative Environment Programme (SACEP) expressed its interest to the Secretariat of the Basel Convention (SBC) to host the Regional Centre for the region comprising the countries of South Asia under Article 14 of the Basel Convention in June 2005. Subsequently, discussions were held between SACEP and the SBC on the requirements to setup the

Regional Centre. SBC, then, requested the SACEP obtain the consent of the member countries and formulate a proposal for the setting up of the BCRC.

After obtaining the consent of the member countries, SACEP placed a proposal for establishing the Regional Centre for South Asia at SACEP, Colombo, Sri Lanka to the Eighth Meeting of the Conference Of the Parties to the Basel Convention (COP8) in November/December 2006. The COP 8 by its Decision VIII/3 has requested SACEP to submit a detailed proposal and the report on the feasibility study carried out for the region to the Open Ended Working Group in its Sixth Meeting (OEWG 6).

2.1 JUSTIFICATION

SACEP proposes to setup the BCRC as an Intergovernmental Agency. The Centre hosted by SACEP shall cater to the requirements of all the member countries in the Region.

A needs assessment study has been carried out for the member countries based on the meetings and discussions with the representatives of the government of member countries and the information provided by them. The study findings revealed that there was a need for imparting training and facilitating technology transfer for Environmentally Sound Technologies in the areas of hazardous waste management and minimization. (Annex-2)

SACEP proposed to the COP 8 of the Basel Convention for the establishment of a centre that will provide benefits to the countries of the South Asia Region and serve the objectives of the Basel Convention in the best possible way.

The COP Mandated the Open-ended Working Group at its next meeting to consider in detail the proposal for the establishment of the regional centre for South Asia in the SACEP based on the feasibility study for the establishment of the centre and consulting the relevant parties. (Annex-3)

During the Tenth Meeting of the Governing Council of SACEP held in January 2007 the member countries of the region agreed to the proposal to establish a regional centre in the intergovernmental institution of the South Asia Cooperative Environment Programme in Colombo, Sri Lanka. (Annex-4)

2.2 THE HOST

South Asia Co-operative Environment Programme (SACEP) is an inter-governmental organization, established in 1982 by the governments of South Asia namely: Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka. It is a multilateral organization registered with the UN Secretariat in accordance with article 102 of the charter of the United Nations (Annex-5). Its mission is to promote and support protection, management and enhancement of the environment in the region. The Secretariat is based in Colombo, Sri Lanka. Colombo Declaration and Articles of Association of SACEP constitute the legal basis for SACEP. The principle organs of the governance structure (organization structure) of SACEP are the Governing Council (GC), Consultative Committee (CC), National Focal Points (NFP), Subject Area Focal Points and the SACEP Secretariat.

The Governing Council (GC) is the principal deliberative and review body responsible for determining policies, strategies and programmes. It is represented at the ministerial level and periodically meets to take decisions of strategic significance. The consultative committee is responsible for facilitating implementation of policies, strategies and programmes determined by the governing council and it consists of representatives of diplomatic missions of member countries residing in Colombo.

Since its creation, SACEP has implemented a number of regional projects and programmes in the areas of environment education, environment legislation, biodiversity, air pollution, and the protection and management of the coastal environment. SACEP is hosting the South Asian Seas Programme which is one of the eighteen regional seas programmes of the UNEP. The Malé Declaration on control and prevention of air pollution and its likely transboundary effects for South Asia is another significant effort which encourages intergovernmental cooperation to combat the transboundary air pollution problem. SACEP has long term experience of working in collaboratively with several multilateral and bilateral agencies and number of MoUs signed with organizations viz. UNEP, WMO, UNESCO, IUCN, IMO, ICRAN, UNEP-GPA, SAARC, TRAFFIC, RECOFTC, TRADA, etc.

SACEP has already an established institutional structure and this will be an advantage to establish the proposed Basel Convention Regional Centre for Training and Technology transfer at SACEP, Colombo, Sri Lanka.

2.3 OBJECTIVES

The main objectives of establishing BCRC in SACEP are:

- ◆ To establish a functional and effective Basel Convention Regional Centre for Training and Technology Transfer in the area of Hazardous Waste Management in SACEP under Article 14 of the Basel Convention.
- ◆ To provide services to the countries of the SAARC Region.
- ◆ To strengthen the institutional capacity of the countries in the region to address the national and global environmental issues pertaining to handling of hazardous waste.
- ◆ To provide linkages with SBC and other Regional and Sub-regional Centres.
- ◆ To Coordinate and cooperate with other related Multi-lateral Environmental Agreements (MEAs) to establish synergies in the region.
- ◆ To facilitate in tracking the transboundary movement of hazardous wastes within the region.

2.4 LEGAL STATUS

In accordance with Option A of the Draft Framework Agreement for the Basel Convention Regional Centres to be established as an Intergovernmental Agency with a Regional Role, it is proposed to set up the Basel Convention Regional Centre for the South Asia Region in SACEP, Colombo, Sri Lanka.

2.5 ACTIVITIES

The activities of the BCRC envisaged under the following major heads and shall be executed in accordance with the work Plan and schedule presented in Table 2.

2.5.1 Establishment of BCRC

The objective of this component is to physically establish the BCRC vide **CODE-2100**.

- A needs analysis for establishment of Regional Centre has already been completed highlighting the requirements of all the participating countries. (Recommendations at Annex-2)

- Proposal for establishing the Basel Convention Regional Centre is being submitted to Secretariat of the Basel Convention (SBC).
- Establishment of the Basel Convention Regional Centre at SACEP has already been conveyed in decision VIII/3 of the Eighth Meeting of the Conference of the Parties (COP-8).
- The BCRC, SACEP to be officially established as a legal entity under the SACEP, Colombo, Sri Lanka.
- Launching of the BCRC through a regional meeting/seminar and signing of the MoU with all the participating countries.
- A business plans to be prepared for assessing the requirement of BCRC services and funding mechanisms to sustain the activities of BCRC.

2.5.2 Constitution of Advisory Committee

An Advisory Committee will be established for providing guidance on the formulation of the work programs and on other technical matters concerning the operation of the BCRC. The committee shall comprise of the following members:

- Director General of SACEP,
- Director/Coordinator of BCRC,
- Representatives of participating countries on rotation basis:
 - 2 from Ministry of Environment
 - 2 from Department of Customs
 - 2 from Regional Industry Associations,
 - 2 from NGOs
- one representative from other Regional Centres (rotating basis) and
- One representative from Secretariat of the Basel Convention.

The Committee shall meet at least once a year and shall be convened by the Director/Coordinator of the BCRC. The Chair of the Advisory Committee shall be elected by the Committee itself at each meeting.

2.5.3 Training Programs, Seminars and Workshops on hazardous wastes management and minimization - Code - 2200.

One of the major activities of the Basel Convention Regional Centre is to organize training courses, seminars and workshops on environmentally sound management for hazardous waste for effective implementation of the Basel Convention. The Main objective is to impart effective programmes according to the requirements of the Region and to cater to the Government, Private

Sector, Academia, Industry, NGO and other stakeholders in the South Asia region.

- A needs assessment has to be done to determine and establish the priorities (Annex 2).
- Major hazardous waste generators within the region include the petrochemical, pharmaceutical, pesticide, pulp and paper, paint and dye, petroleum, fertilizer, asbestos, caustic soda, inorganic chemicals and general engineering sectors and others.
- The Technical and non-technical key issues on hazardous waste, which have to be addressed in the training course, seminars and workshops are given at Annex-6.
- Subjects for the Seminar and Training Course to be selected based on the requirements of the countries in the region expressed by them from time to time.
- The target group for training courses, seminars and workshops would comprise of Government, Private Sector, Academia and other stakeholders and will be trained in accordance to the requirements of the Basel Convention.
- Trainers and resource persons will be identified from both within the region and outside the region including the international experts.
- The trainers and resource persons will design the training manuals and documents and deliver the training courses, seminars and workshops, etc.
- A mechanism for evolving training of trainers should be worked out in order to spread the activities within the region.
- Continuous evaluation and review of these programs will be necessary for taking follow up actions to improve the programs.

2.5.4 Database and Exchange of Information on HWM techniques and technologies

The objective is to identify, collect, promote, disseminate and exchange information on hazardous waste management techniques and waste minimization technologies and information from within the South Asian region and other regions. Availability of information from a database on all aspects of hazardous waste is considered essential for implementation of the Basel Convention.

- The database shall include technologies relating to hazardous waste management, information on training courses, research and development issues with regard to hazardous waste and successful case studies of

- implemented projects within the region.
- Data-base on institutions, consultants and experts in the area of hazardous waste management shall be developed.
 - The target user group for database management shall comprise of technology users such as industries, government planners, policy makers and project developers and intermediaries who assist technology users with needs assessment, database searches, analysis and assessment of technological options.
 - The activities under this component will include the following:
 - (a) Setting up Hardware and Software
 - (b) Web designing, launching and updating
 - (c) Database development relating to hazardous waste management, information on technologies and techniques, training courses, research and development issues and case studies and updation.
 - (d) Networking and information exchange with other relevant agencies

2.5.5 Marketing

The main objective is to devise an effective marketing mechanism for database and other services.

- (a) Incorporating Tech services & updating
- (b) Propagating the database and information service to relevant parties
- (c) Marketing of advisory services

2.5.6 Advisory/Consulting Services

The objective is to render advisory / consulting services on hazardous waste management to the parties, in the region to deal with problems related to hazardous wastes.

- The type of advisory services may be as follows:
 - (a) Provision of customized information for requesting Parties on technologies, experts, demonstration facilities and institutions.
 - (b) Provision of consultancy on hazardous waste management.
 - (c) Facilitating assistance in finance syndication, feasibility studies and contract negotiation.
 - (d) Inter-linking requests with relevant agencies and information services in the field of hazardous waste management in the region.
 - (e) Facilitate technology transfer

- A portfolio for advisory services to be rendered is to be established and a roster of available and accessible experts, in the areas will be maintained.
- Aggressive marketing would be necessary to promote the advisory services of the Regional Centre.

2.6 EXPECTED OUTCOME

The desired outcome is to have fully functional, self-sustaining and efficiently operating BCRC for Hazardous Waste Management and Technology Transfer in the region hosted by SACEP and serving the member countries. It will also provide a means for collaboration and cooperation between the member countries of SACEP and facilitate to draw resources from other BCRCs.

3. MANAGEMENT

3.1 MANAGEMENT STRATEGY

The establishment and administration of the BCRC shall be the responsibility of SACEP. The duration of the initial phase of the programme shall be for a period of five years from 2008 to 2012.

As the BCRC is a part of the Basel Convention system and will report to the Secretariat for the Basel Convention (SBC) in Geneva, an agreement shall be signed between SACEP and SBC.

The Centre will be established under SACEP. The core staff shall consist of a Director with supporting office staff. Additional help will be provided by SACEP technical and administrative staff and by engaging consultants on a short-term basis.

An Advisory Committee will be constituted for providing guidance on the formulation of the work programs and other technical and financial matters concerning the operation of the BCRC.

The project will be managed through an approved Five-Year Work Program supplemented by detailed Annual Work Plans. The first year annual work plan will include detailed work plan and budget for the period from the signing of the Agreement till 31 December 2008. Annual work plans shall be developed

for each additional year till the end of the five year period.

3.2 ROLES AND RESPONSIBILITIES

3.2.1 South Asia Co-operative Environment Programme (SACEP)

SACEP being the host organization for the BCRC for South Asia will provide the BCRC the status of a UN organization and will provide it necessary organizational support.

As the Executing Agency of the Programme, SACEP will be responsible for achieving the objectives based on the guidelines issued for the Basel Convention Regional Centres. SACEP will help BCRC in training and technology transfer, technical assistance and advisory services on hazardous waste issues, information exchange, and promotion of awareness, carrying out need analysis, promotion of cleaner production and waste minimization and establishment of networks in the region, etc. SACEP will provide all necessary help to BCRC to:

- Organize meetings (advisory committee and others), seminar, workshops, and training programs.
- Provide stakeholders technical advice and guidance for specific technology transfers.
- Provide assistance to set up database and international network in Asia-Pacific for environmentally sound technology transfer.
- Disseminate information.
- Ensure coordination with the focal points in member countries, other regional and sub-regional centres and Secretariat of Basel Convention
- Help to develop country wise strategic plan for the region.
- Provide institutional framework for co-ordination and implementation of programs on waste minimization, treatment, recovery, recycling and the final disposal of wastes.
- Ensure that the activities are tailored to the needs of the countries covered in the development of knowledge and awareness.
- Provide a forum to address issues pertaining to hazardous waste management and to exchange experience and develop knowledge and technical expertise.

3.2.2 Secretariat for the Basel Convention (SBC)

SBC will be responsible for signing the agreement with SACEP for the establishment of the Basel Convention Regional Centre in SACEP, Colombo, Sri Lanka and provide all guidance as necessary with respect to the successful establishment and operation of the BCRC.

3.2.3 Advisory Committee

An Advisory Committee will be established for providing guidance on the formulation of the work programs and on other technical matters concerning the operation of the BCRC. The Committee shall meet at least once a year and shall be convened by the Director/Coordinator of the BCRC. The Chair of the Advisory Committee shall be elected by the Committee itself at each meeting.

3.3 PERFORMANCE MEASUREMENT

A result-based approach will be taken to establish a Logical Framework (Table-1) and a performance measurement framework in which the desired results and indicators will be deliberated. The progress of the project will be monitored and will be reported in the annual progress report, reviewed by the advisory committee.

3.4 REPORTS

Annual progress report of the activities of the BCRC should be prepared and submitted to the advisory committee and forwarded to the Governing Council of SACEP and SBC.

This report shall provide a brief accounting on the progress made in terms of accomplishments and costs of the Programme. They will include:

- (a) Status of the Programme at the end of the reporting period;
- (b) activities undertaken, in progress, or completed during the reporting period;
- (c) progress achieved towards realizing the Programme's outputs, outcomes and impact;
- (d) results achieved (with particular emphasis on outcomes) including any unanticipated achievements;
- (e) linkages, spin-offs or other benefits accrued to SACEP member

- countries;
- (f) problems (if any) anticipated and recommendations on how they might be overcome;
 - (g) an update on the status of contributions made towards BCRC by SBC, donors and member countries;
 - (h) activities planned for the next reporting period.

3.5 Annual Financial Report

This report should provide the details of fund flow describe actual expenses incurred against what was originally budgeted. The report should provide financial forecasts for the remaining period. The finances of BCRC shall be managed as per established financial and audit procedures of SACEP.

3.6. Budget

- (a) SACEP and the SBC undertake to contribute to the operations of the BCRC.
- (b) Pursuant to the relevant decisions of the parties to the Basel Convention, activities of the BCRC shall be financed through voluntary contributions and other sources of financing
- (c) SACEP will contribute US\$ 100,000 to establishment and running the centre

The schedule of activity is shown in Table 1 - Work Plan is summarized in the following paragraphs.

TABLE 1 - LOGICAL FRAMEWORK ANALYSIS

NARRATIVE SUMMARY	EXPECTED RESULTS	PERFORMANCE MEASUREMENT	ASSUMPTIONS/RISK INDICATORS
<p><u>Goal:</u> To strengthen the institutional capacity of South Asian countries to address such national and global environmental issues on hazardous wastes management</p>	<p>Impact: Enhanced capacity of South Asian Countries to address issues related to Basel Convention</p>	<p>Performance Indicators: 1. Implementation of the MEAs 2. Active participation of South Asia countries at various meetings related to hazardous waste management</p>	
<p><u>Purpose:</u> To establish a functional and effective Basel Convention Regional Centre for Hazardous Waste Management and Technology Transfer in SACEP, Colombo, Sri Lanka under the Article 14 of the Basel Convention.</p>	<p><u>Outcome:</u> A fully functional and effective BCRC in SACEP, Colombo, Sri Lanka conforming to Article 14 of Basel Convention</p>	<p>Performance Indicators: 1.1 Physical existence of BCRC in SACEP</p>	
<p><u>Resources:</u></p>	<p><u>Outputs:</u></p>	<p>Performance Indicators:</p>	<p><u>Assumptions/Risk Indicators</u></p>
<p>BCRC furnishings and office equipment Staff salary Technical assistance Training</p>	<p>1. BCRC established</p>	<p>1.1 Certificate of registration 1.2 Office established with facilities and made functional</p>	
	<p>2. BCRC training programs for parties in the South Asia region</p>	<p>2.1 Number of training programs on HWM 2.2 Number and geographical spread (regional) of participants 2.3 Number of participants active in HWM in their own countries</p>	
	<p>3. BCRC database on HWM techniques and technologies utilized by parties in the South Asia region</p>	<p>3.1 Computer hardware and software installed at BCRC 3.2 Number of hits on BCRC web site</p>	
	<p>4. BCRC advisory services provided to the parties in the South Asia region</p>	<p>4.1 Number and type of expertise available through BCRC 4.2 Number and geographical spread of requests received by BCRC for services 4.3 Number of problems solved by BCRC</p>	

4. IMPLEMENTATION SCHEDULE

TABLE 2 - WORK PLAN SCHEDULE

TIME SCHEDULE	2008				2009				2010				2011				2012			
	1. Qtr	2. Qtr	3. Qtr	4. Qtr	1. Qtr	2. Qtr	3. Qtr	4. Qtr	1. Qtr	2. Qtr	3. Qtr	4. Qtr	1. Qtr	2. Qtr	3. Qtr	4. Qtr	1. Qtr	2. Qtr	3. Qtr	4. Qtr
1. BCRC established	x	x																		
2. Constitution of Advisory Committee		x	x																	
3. Training programmes, seminars/workshops on hazardous waste management																				
3 (a) Identifying trainers/resource persons		x	x																	
3(b) Designing training manuals & documents			x	x																
3 (c) Training programmes						x		x		x		x		x		x		x		x
3(d) Seminars/Workshops							x				x				x				x	
3(e) Follow-up and review				x				x				x				x				x
4. Database and exchange of information on hazardous waste management																				
4(a) Setting up hardware and software		x	x																	
4(b) Website design launching & updating		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
4(c) Database development & updating			x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
4(d) Networking and information exchange with other relevant bodies			x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
5. Marketing of the database through special feature in the Tech Monitor on hazardous waste management																				
5(a) Incorporating Tech services & updating					x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
5(b) Propagating the database and information service to relevant parties					x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
5(c) Marketing of Advisory Services					x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
6. Advisory Services																				
6(a) Provision of customized information					x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
6(b) Provision of consultancy on hazardous waste management					x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
6(c) Facilitating assistance in finance, syndication, feasibility studies and contract negotiations					x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
6(d) Inter-linking requests with relevant agencies					x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
6(e) Facilitate Technology Transfer					x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x

Annex-2

Recommendations of needs Assessment

1. The proposed BCRC for Hazardous Waste Management for the South Asian Region should be established under SACEP, with the aim of ultimately becoming autonomous and self-supporting.
2. The main focus of the centre should be on capacity building in the South Asian region for the implementation of the Basel Convention on Hazardous Waste Management.
3. The Centre should have the flexibility to build regional capacity for the implementation of other Multilateral Environmental Agreements such as Stockholm (POPs) and Rotterdam (PICs) conventions and facilitating in creating the synergy in the region.
4. On the basis of the needs assessment carried out for the region and the Expert Group Meeting's deliberations, and drawing upon the recommendations of the Basel Convention seminar held in Colombo in March 1999, a work plan has been drawn for five years which will be carried out by the proposed Centre, i.e. SACEP, Colombo, Sri Lanka.
5. Priority should be given to addressing common needs of the region.
6. . Priority needs identified by the needs assessment study and the Expert . Group Meeting include collection and sharing of information, conducting seminars, workshops and training sessions to build capacity for identification, characterization and classification of Hazardous Wastes, preparing inventories and conducting baseline studies.
7. Technical assistance and advice should be provided by the proposed Centre to assist in the adoption and ratification of the Basel Convention and its implementation through legislation, regulation and enforcement as appropriate for each member country.
8. Periodic updating of inventories/statistics should be carried out by each member country and the information provided to the BCRC.
9. Identification of stake holders including industries, NGOs, media, other Government departments and other agencies in each country should be carried out and made available by the proposed Centre. Strong links should be established with stake holders and their participation encouraged.
10. The proposed Centre should facilitate information sharing and dissemination on technologies, processes and methods available internationally, in the South Asia region and in other Regional Centres of Basel Convention.

11. The proposed center should create a waste exchange bank so that waste generated by one industry can be posted for possible use/recycling by other industries to promote recycling in accordance with the Basel Convention.

12. A data bank of experts of the South Asia region should be created and made available for advisory services and technical assistance, to facilitate technical exchanges among the SACEP member countries.

13. The Centre should have the freedom to accept in-kind and financial assistance from partners who share common goals.

14. The proposed Centre should provide a forum for the exchange of information related to the management of hazardous wastes among the SACEP member countries.

15. The proposed Centre should create strong functional linkages with all Basel Convention Regional Centres especially in China, Indonesia and Iran, and the Basel Convention Secretariat in Geneva.

Annex-6

The Technical and Non-technical key issues on hazardous wastes which have to be addressed in the Seminars, Training Courses and Workshops include the following:

- Seminar related subject areas:
 - (a) Provision on information on quality and risks
 - (b) Enforcement of existing and pending regulations
 - (c) Increase awareness on health risks
 - (d) Institutional awareness of Basel Convention
 - (e) The concept of environmentally sound management for hazardous waste
 - (f) Needs of the regions in compliance with the Basel Convention

- Training course related subject areas:
 - (a) Management of hazardous waste streams (waste minimization, reuse and recycling; advances in hazardous waste management and treatment technologies)
 - (b) Management of residuals from waste treatment and processing technologies
 - (c) Hazardous waste combustion (incineration/pyrolysis)
 - (d) Provision of information on infrastructure for safe storage or disposal
 - (e) Design, operation and maintenance of Hazardous waste disposal facilities
 - (f) Management of hazardous waste from ship breaking
 - (g) Hazardous waste treatment technologies for specific waste streams
 - i. Cyanide waste
 - ii. Waste containing water soluble chemical compounds of lead, copper, zinc, chromium, nickel, selenium, barium and antimony
 - iii. Halogenated/Non-halogenated hydrocarbons including solvents
 - iv. Wastes from paints, pigments, glue, varnish and printing ink

- v. Wastes from dyes and dye intermediate
 - vi. Phenolic waste
 - vii. Tary waste from refining and tar residues from distillation
 - viii. Waste from pharmaceutical, pesticides, leather, chemical, paper and pulp industries
 - ix. Hospital wastes
-
- (h) Solidification/stabilization of hazardous waste
 - (i) Physio-chemical/biological treatment technologies for hazardous waste
 - (j) Biofiltration/oxidation technologies
-
- Workshop related subject areas:
 - (a) Technology Transfer business meeting and events relating to environmentally sound management of hazardous waste.
 - (b) Awareness programs on technology transfer issues like networking, databases, role of Intermediaries, finance syndication relating to hazardous waste management.

**Establishment of the Basel Convention
Regional Centre for South Asia
at the
SACEP, Colombo, Sri Lanka**

Needs Assessment Report



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Executive Summary

The South Asia Co-operative Environment Programme (SACEP) has been nominated as the host institution for a proposed Basel Convention Regional Centre for Training and Technology Transfer (BCRC). The main goal and objective of the centre is to strengthen the capacity of the governments of the South Asia region to implement the Basel Convention on Control of Transboundary Movement of Hazardous Wastes and their Disposal both in terms of complying with the legal and institutional aspects of implementation of the convention and technical requirements for the environmentally sound management of hazardous wastes.

One of the most important factors in the management of hazardous wastes is the awareness and fear of the legislative and enforcement mechanism. Alongside of this there is a need for the development of adequate infrastructure for testing, storing, handling and monitoring of hazardous wastes to address enforcement. The need for the training of personnel in different departments and organisations is of utmost necessity to update them of the latest trends and understandings of issues related to hazardous wastes.

Under the first phase of this initiative, a needs assessment for training in environmentally sound management of hazardous wastes in countries of South Asia region was carried out and the findings of the needs assessment study were facilitated in developing a comprehensive program to address these needs. The needs assessment study was carried out for the countries Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka. This task was accomplished by liasoning with the respective countries and contacting the Basel convention focal points, appropriate government, industry representatives and NGOs to collect the relevant information and compiling that information through the assistance of local and regional experts.

The data was collected on the country's economy, environmental regulatory regime, legislative framework, status of hazardous waste generation and management and specific needs with respect to policy development, development of legislation, enforcement of legislation, training needs and the prioritisation of these needs. Conclusions and recommendations were formulated for each country. The reports were prepared for each member country.

Afghanistan

Afghanistan lies between 29°35' and 38°40' northern latitude and between 60°31' and 75°00' eastern longitude on the mountainous and desert areas where the Iranian Plateau borders with the mountainous systems of Central Asia. Afghanistan is bound on the north by Turkmenistan, Uzbekistan and Tajikistan, on the northeast by China, on the south and east by Pakistan

and on the west by Iran. The country's area is 653000 sq. km. Till December 2005, Afghanistan did not have a single environmental protecting legislation in place. On the eighteenth of December 2005, the cabinet approved the legislation, the Environment Act that for the first time gives Afghanistan the legal power it needs to begin bettering its environment.

Afghanistan is not a party to the Basel Convention, therefore, the regulatory regime does not address any of the articles of the convention. There is a need for policy development starting from signing/ ratification of Basel Convention, definition of hazardous waste, development of legislation & guidelines, notification and consent procedures to penal provisions. Capacity building and awareness creation for Policy makers, implementers, industry and public are important activities to initiate the process of hazardous waste management.

Bangladesh

Bangladesh is one of the youngest countries, born only in 1971. With an area of about 144,000 sq. km, Bangladesh is situated between latitudes 20 degrees 34' and 26 degree 38' north and longitudes 88 degree 01' and 92 degree 41' east. It shares almost all of it's land boundaries with India and a little with Burma. Bangladesh signed the Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (Basel Convention) on the 22nd of March 1989 but there has been limited progress towards the implementation of the mandate of the convention. As per the available information the environment related legislation is still not comprehensive and there is no specific legislation on hazardous wastes. The industry groups were owners of their operations and its impact on environment and human health.

The essential steps required for the country in it's efforts to strengthen the management and monitoring of hazardous wastes would be to develop a comprehensive policy and regulation on hazardous wastes. The capacity building of the enforcement authorities would be required in several areas such as policy, technical and administrative.

Bhutan

Bhutan is a landlocked country in Indian subcontinent located between latitudes 26°45'N and 28°10'N and between longitudes 88°45'E and 92°10'E. The total land area of the country is 46,500 square kilometers with maximum latitudinal and longitudinal distance of 170 and 300 kilometers respectively. The Bhutanese economy is based on agriculture, forests and mineral resources. Industrial Development has been one of the major possibilities of the Royal Government of Bhutan, due to the availability of low-cost energy from hydropower and natural raw material resources. The most important industrial activities in Bhutan can be classified into three categories: wood-based, mineral-based (often also energy-based) and service industries.

Bhutan has ratified the Basel Convention, however, the regulatory regime does not address any of the articles of the Convention. The environmental guidelines mention about hazardous waste from industries. There is lack of systematic collection, treatment and disposal system of this waste. Bhutan has basic testing facilities for waste water which needs to be upgraded and strengthened to address hazardous waste. Bhutan has banned import of all kinds of scrap, plastic waste, second-hand equipment and reconditioned cars.

There is a need for development of a policy, legislation & guidelines for hazardous wastes. The hazardous waste management needs include need for inventorization and identification of technology options for disposal of hazardous wastes, training and awareness programmes for policy makers and all stakeholders.

India

India is located in Southern Asia, bordering the Arabian Sea and the Bay of Bengal, between Burma and Pakistan and has a total area of 3,287,590 sq. km with a land area of 2,973,190 sq. kms, and a water surface of 314,400 sq. km. India's economy encompasses traditional village farming, modern agriculture, handicrafts, a wide range of modern industries, and a multitude of support services. According to the estimates made about 4.4 million tons of hazardous waste is generated within the country.

The policies and legislations in the area of hazardous wastes are in place. However, there is a need to strengthen the implementation agencies through capacity building and technology support. There is a strong need to strengthen the industrial capacity to minimise and efficiently manage their hazardous wastes and the non-government machinery including the awareness of the public since they play an important role in the monitoring and public awareness in sensitive issues like hazardous wastes.

Maldives

Republic of Maldives is an archipelago situated in the Indian Ocean between South of the equator and 8° North latitudes. The country stretches 823 km north to south and 130 km east to west. The country is surrounded by Sri Lanka on the East and India on the North. There are 1,190 islands in Maldives out of which only 200 islands are inhabited. The wastes generated are broadly classified into four kinds, i.e. residential, commercial, business and construction waste. Batteries and Other Hazardous Waste (OHW) containing waste oil, medical waste, Insecticides, Pesticides and waste chemicals comprise the hazardous waste.

The needs of the country in the areas of hazardous waste management covers a broad spectrum of activities such as policy development, Implementation, compliance and monitoring. There is also a need for building capacity to ensure compliance and establish a system of waste

separation, collection, transportation and disposal in Maldives. Training and awareness creation emerged as an important activity to initiate the process of hazardous waste management.

Nepal

Nepal is roughly rectangular in shape. The country's landmass stretches 885 km from east to west and has a non-uniform width of 193 km north to south. It has a total land area of 147,181sq. km and an estimated population of 21.84 million as in 1998. The recyclable wastes such as non-ferrous metal scrap, used lead-acid batteries, used oil etc. were taken illegally into India for recycling. However, these wastes being hazardous and covered under the Basel Convention, transboundary movement is not permitted even for recycling.

The environmentally sound management of hazardous wastes is sought to be regulated through various provisions of the EPA, 1997. Specific standards, authorisation for management and handling and requirements of environmentally sound management of hazardous wastes are not yet put in place. Recyclable hazardous wastes such as lead-acid batteries, non-ferrous metallic scrap, waste oil/used oil etc. may be going illegally to India for recycling. This is not allowed under the Basel Convention and MoPE do not permit import or export of hazardous wastes. Several areas were identified for training needs in the country.

Pakistan

Islamic Republic of Pakistan lies between 23-35 to 37- 05 north latitude and 60-50 to 77- 50 east longitude touching the Hindukush Mountains in the north and extending from the Pamirs to the Arabian Sea. Pakistan extends along either side of the historic Indus River, bordering on India, China, Afghanistan and Iran. Pakistan's 796,095 square kilometers of territory include a wide variety of landscapes, from arid deserts to lush, green valleys to stark mountain peaks. The country has an expanding industry. Cotton, Textiles, sugar, cement, and chemicals play an important role in its economy. Solid waste in Pakistan is generally composed of plastic and rubber, metal, paper and cardboard, textile waste, glass, food waste, animal waste etc. Hazardous hospital and industrial waste are being simply treated as ordinary waste.

The National Environmental Policy of 2005 provides an overarching framework for addressing the environmental issues facing Pakistan. The need of the country in the areas of hazardous waste management covers the activities such as policy development, Implementation, compliance and monitoring. There is also a need for building capacity to ensure compliance and establish a system of waste separation, collection, transportation and disposal in Pakistan. Training and awareness creation were also identified as important activities to manage the hazardous waste in the country.

Sri Lanka

Sri Lanka is an island strategically located in Indian Ocean between 6°-10° N Latitude and 80°-82° East longitude. The maximum length from North to South is 432 Kilometers while maximum breadth from East to West is 224 Kilometers. Sri Lanka has diverse group of industries, which have been classified, into micro, small, medium and large-scale industries. These include sectors like food & beverage, textile, apparel & leather products, wood & wood products, pulp, paper and paper products, chemical, petroleum, plastic and rubber, non metallic products, basic products and fabricated metal products.

Though the hazardous waste management law is presently enforceable in Sri Lanka, the lack of implementation is on account of absence of the basic treatment and disposal facilities. The regulatory regime makes it mandatory that all industries having pollution potential must have the necessary approval license from the CEA or designated body (i.e. local councils for low polluting industries, BOI for BOI industries). There is a need to raise awareness of industry to ensure compliance and capacity building of all regulatory agencies in terms of infrastructure development mainly related to identification and testing of hazardous waste. It was also revealed that there is a need for developing a system of hazardous waste separation, collection, transportation and disposal in Sri Lanka.



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**Open-ended Working Group of the Basel Convention
on the Control of Transboundary Movements of
Hazardous Wastes and Their Disposal**
Sixth session
Geneva, 3–7 September 2007

Report of the Open-ended Working Group of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal on the work of its sixth session

I. Opening of the session

1. The sixth session of the Open-ended Working Group was opened at 10.10 a.m. on Monday, 3 September 2007, by Mr. Peeter Eek (Estonia), Co-Chair (technical) of the Working Group.
2. Following the opening of the session, Ms. Katharina Kummer Peiry, Executive Secretary of the Convention Secretariat, welcomed participants and thanked them for the messages of support that she had received following her recent appointment to her post. She also thanked the Secretariat staff for their hard work in the period between the departure of her predecessor, Ms. Sachiko Kuwabara-Yamamoto, and her own appointment.
3. Ms. Kummer Peiry said that the fifteenth anniversary of the entry into force of the Convention provided the opportunity to take stock of achievements to date and identify future challenges to implementation. The Convention was now a mature legal instrument, she said, with mechanisms in place to meet the needs of its 170 Parties, addressing the mutual concerns of both North and South. In the past 15 years, significant progress had been made in implementing the Convention at the national level, through the development of infrastructure projects for the environmentally sound management of hazardous waste. She noted that the tragic incident of dumping of toxic wastes in Côte d'Ivoire in 2006 demonstrated the existing problems with enforcement of the Convention and she affirmed the need to focus efforts in that area.
4. She went on to outline the main issues on the agenda at the current session and noted that, given the heavy workload, the Working Group might wish to consider mandating the continuation of some work interessionally to ensure that all tasks were completed in time for the ninth meeting of the Conference of the Parties. She stressed the need for adequate financing and concrete action at the national level to implement the Nairobi ministerial declaration on the environmentally sound management of electronic and electrical waste, and the importance of mobilizing resources to ensure that the regional centres realized their potential.
5. She welcomed the progress being made in the establishment of public-private partnerships, including under the new partnership initiative on the environmentally sound management of used and end-of-life computing equipment. On the issue of resource mobilization and sustainable financing, she pointed out that contributions for the current biennium were insufficient to fund implementation of all mandated activities and therefore appealed to all Parties and other stakeholders to make the necessary contributions as a matter of urgency. She suggested that in its discussions on that issue and in its

recommendations to the Conference of the Parties, the Working Group should consider the financial resources that would be required to make implementation of the Convention more effective.

6. She reported that consultations on the arrangements for the ninth meeting of the Conference of the Parties were proceeding satisfactorily and thanked the Government of Indonesia for its efforts in that regard. Concluding, she endorsed the view expressed by the Executive Director of the United Nations Environment Programme (UNEP), Mr. Achim Steiner, that rather than being a phase of environmental crisis and doom, the twenty-first century would provide a new window of opportunity.

7. Following her opening remarks, many participants congratulated Ms. Kummer Peiry on her appointment to the post of Executive Secretary.

II. Adoption of the agenda

8. The Working Group adopted the following agenda, on the basis of the provisional agenda (UNEP/CHW/OEWG/6/1/Rev.1), as amended at the current session:

1. Opening of the session.
2. Adoption of the agenda.
3. Organization of the session.
4. Admission of observers.
5. Dumping of toxic wastes in Abidjan, Côte d'Ivoire.
6. Basel Convention regional and coordinating centres:
 - (a) Review of the operation of the Basel Convention regional and coordinating centres;
 - (b) Consideration of the proposal for the establishment of a regional centre for South Asia in the South Asia Cooperative Environment Programme.
7. Technical matters:
 - (a) Technical guidelines on environmentally sound management:
 - (i) Revised technical guidelines on environmentally sound management of used tyres;
 - (ii) Review of other selected technical guidelines pursuant to decision VIII/17, e.g., on incineration on land (D10), specially engineered landfill (D5), and wastes collected from households (Y46);
 - (iii) Persistent organic pollutants;
 - (iv) Stockholm Convention revised draft guidelines on best available techniques and provisional guidance on best environmental practices;
 - (b) Classification and hazard characterization of wastes:
 - (i) Review of work on the guidance papers on H10 and H11 pursuant to decision VIII/21;
 - (ii) Review of cooperation with the World Customs Organization and its Harmonized System Committee pursuant to decision VIII/20;
 - (iii) Amendments of entries related to persistent organic pollutants;
 - (c) Review or adjustment of the lists of wastes contained in Annexes VIII and IX of the Basel Convention;
 - (d) Harmonization and coordination;
 - (e) National classification and control procedures for the import of wastes contained in Annex IX.
8. Legal and compliance matters:
 - (a) Illegal traffic: review of the outline of an instruction manual for the legal profession;

- (b) Review of the implementation of decision V/32 on enlargement of the scope of the Trust Fund to Assist Developing and Other Countries in Need of Assistance in the Implementation of the Basel Convention;
 - (c) Protocol on liability and compensation: review of options for meeting the requirement of insurance, bonds or other financial guarantees;
 - (d) Addressing the interpretation of paragraph 5 of Article 17 of the Convention.
9. Dismantling of ships:
 - (a) Environmentally sound management of ship dismantling;
 - (b) Abandonment of ships on land or in ports.
 10. Cooperation and coordination:
 - (a) Cooperation and coordination between the Basel Convention, Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the Stockholm Convention on Persistent Organic Pollutants;
 - (b) Cooperation between the Basel Convention and the International Maritime Organization;
 - (c) Cooperation with the World Trade Organization.
 11. Strategic partnerships:
 - (a) Basel Convention Partnership Programme: progress on the implementation of the 2007–2008 workplan;
 - (b) Mercury;
 - (c) Asbestos.
 12. E-waste:
 - (a) Review of the guidance document on environmentally sound management of used and end-of-life mobile phones;
 - (b) Mobile Phone Partnership Initiative;
 - (c) Partnership on used and end-of-life computing equipment and regional partnerships on e-waste;
 - (d) Workplan for 2009–2010.
 13. Resource mobilization and sustainable financing: review of the implementation of decision VIII/34.
 14. Financial matters.
 15. Work programme of the Open-ended Working Group for 2009–2010.
 16. Preparation of draft decisions for consideration by the Conference of the Parties at its ninth meeting.
 17. Organization of the ninth meeting of the Conference of the Parties.
 18. Other matters.
 19. Adoption of the draft decisions and the report of the session.
 20. Closure of the session.

III. Organization of the session

9. The session was attended by representatives of the following Parties to the Convention: Albania, Algeria, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Bangladesh, Belgium, Benin, Bolivia, Brazil, Burkina Faso, Cambodia, Canada, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, European Community, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Latvia, Lebanon, Libyan Arab

Jamahiriyah, Madagascar, Malaysia, Maldives, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Pakistan, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Samoa, Saudi Arabia, Serbia (Republic of), Singapore, Slovak Republic, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the Former Yugoslav Republic of Macedonia, Trinidad and Tobago, Togo, Tunisia, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Yemen.

10. The following States not party to the Convention were represented: Iraq, Suriname and United States of America.

11. Observers from the following United Nations bodies, specialized agencies and intergovernmental organizations were also present: International Atomic Energy Agency, International Labour Organization, International Maritime Organization, United Nations Economic Commission for Europe, United Nations Environment Programme, United Nations Industrial Development Organization, United Nations University and World Trade Organization.

12. The following intergovernmental organizations were represented: Organization for Economic Cooperation and Development, Organization for the Prohibition of Chemical Weapons, Permanent Delegation of the League of Arab States, **South Asia Cooperative Environment Programme.**

13. The following non-governmental organizations, private sector organizations and others were represented: Asociacion de Industriales de Fibro Cemento, Basel Action Network, Beveridge and Diamond, Bureau of International Recycling, Cembureau, Community Police Initiative, Electronic Industries Alliance, EMPA Research Institute, Ex Corporation, Greenpeace International, IMPEL-TFS, Institute of Scrap Recycling Industries, International Company for Petroleum Waste, International POPs Elimination Network, International Precious Metals Institute, Japanese Ship Owner's Association, Japan Ship Centre (JETRO), Mercury Policy Project, NGO Platform on Shipbreaking, North American Ship Dismantling Association, Tosoh Corporation, Umicore Precious Metals Refining, Veolia, WE2C – Waste and Environment Cooperation Centre and World Chlorine Council.

14. Representatives of the Basel Convention regional centres located in the following countries also attended: Argentina, China, Egypt, Indonesia, Iran (Islamic Republic of), Nigeria, Senegal, Slovak Republic, Trinidad and Tobago and Uruguay.

15. The Bureau, as appointed at the eighth meeting of the Conference of the Parties, was constituted as follows:

- Co-Chairs: Mr. Peeter Eek (Estonia) (technical)
Mr. Abdul Mohsin Mahmood al-Mahmood (Bahrain) (legal)
- Vice-Chairs: Ms. Consolata Kiragu (Kenya) (legal)
Ms. Kerstin Stendahl-Rechardt (Finland) (technical)
- Rapporteur: Ms. Alexandra Segura (Costa Rica)

16. The Working Group decided to meet in plenary from 10 a.m. to 1 p.m. and from 3 p.m. to 6 p.m. each day and to establish such drafting and other subsidiary groups as it deemed necessary. In the light of the heavy workload at the current session, the Working Group agreed to establish contact groups on the following themes:

- (a) Basel Convention regional centres (chaired by Mr. Mohsen Esperi (Islamic Republic of Iran) and Mr. Nicholas Kiddle (New Zealand))
- (b) Legal matters (chaired by Ms. Consolata Kiragu (Kenya));
- (c) Ships (chaired by Mr. Roy Watkinson (United Kingdom of Great Britain and Northern Ireland));
- (d) Technical matters (chaired by Mr. Mohammed Khashashneh (Jordan) and Ms. Stendahl-Rechardt (Finland));
- (e) Review of the implementation of decision V/32 (chaired by Ms. Gordana Petkovic (Republic of Serbia)).

17. The Working Group also agreed that it would not meet in plenary on the afternoon of Tuesday, 4 September, in order to give the contact groups sufficient time to achieve their objectives.

18. There was general support for the notion that, in order to strengthen the brand of the public-private partnerships operating under the Convention and to facilitate Internet searches for them, it was useful to refer to them by their acronyms. The Working Group therefore agreed that, it would refer to the partnerships by their acronyms, as appropriate, in its official documents, including the reports of its sessions.

IV. Admission of observers

19. The Working Group took up the item at its 1st plenary meeting, on the morning of Monday, 3 September 2007. The representative of a group of Parties noted that United Nations security personnel had denied several representatives of a non-governmental organization entry to the Working Group's current session. He requested an explanation for that prohibition, noting that, in his view, the rules of procedure provided that it was for the Parties to the Convention to decide on the participation of observers at its sessions. He added that it was particularly unfortunate that the representatives in question had not been informed in advance that they would be denied entry.

20. The representative of the Secretariat explained that the United Nations Security and Safety Section in Geneva had advised the Secretariat that the members of the non-governmental organization in question could not be accredited to participate at the current session because their accreditation documents had not been issued by a Member State of the United Nations. She said that the Secretariat had been surprised by that decision, as that rule had never been applied previously and the non-governmental organization had made useful contributions at earlier meetings on the issue of e-waste. She added that the rules of procedure did not specifically deal with the matter of accreditation and that United Nations practice therefore applied. She explained that the Secretariat would follow up on the matter with the competent entities of the United Nations.

21. One representative said that because UNEP was a specialized agency of the United Nations, the United Nations rules concerning accreditation should be followed.

V. Dumping of toxic wastes in Abidjan, Côte d'Ivoire

22. The Working Group took up the item at its 1st plenary meeting, on the morning of Monday, 3 September 2007. In considering the item, the Working Group had before it a note by the Secretariat on decision VIII/1 (UNEP/CHW/OEWG/6/2), which contained in its annex a report on the Secretariat's technical mission to Côte d'Ivoire in November 2006, and a report on the joint mission of the Secretariat and UNEP to Abidjan in August 2007 (UNEP/CHW/OEWG/6/INF/25).

23. The representative of the Secretariat introduced the item, summarizing the reports on the two missions to Côte d'Ivoire. He said that in partnership with UNEP and in consultation with the International Maritime Organization (IMO), the Secretariat was now preparing a first group of activities to start in early 2008, focusing on development of a hazardous waste management plan in the district of Abidjan, strengthening the port of Abidjan's capacity to manage waste generated at sea in accordance with the provision and standards of the Basel Convention, and development of a regional capacity-building programme. Responding, the representative of Côte d'Ivoire thanked the international community for its help in the aftermath of such a terrible ecological crime, urging it to contribute generously to the special trust fund for Côte d'Ivoire established by the Executive Director of UNEP.

24. In the ensuing discussion, several representatives emphasized the need for the establishment of an efficient financial mechanism to respond to such disasters, rather than relying on voluntary contributions. Some representatives urged that the proposed capacity-building programme should be extended to landlocked countries, not just to those with a sea coast, and emphasized that enhanced training for customs officials was crucial. Several representatives stressed the need to clarify the relevant legal authority applicable to the issue. Other representatives called for an examination of which of the Convention's provisions had worked and which had not. The incident had also highlighted the need for closer surveillance and enhanced enforcement efforts, as well as for coordinated implementation among the Basel, Rotterdam and Stockholm Conventions. One representative noted that the report of the Secretariat's technical assistance mission to the district of Abidjan indicated that those involved in the mission could only access second-hand information on the chemical composition of the waste and its environmental and health impact. Another noted that while decision VIII/1 had invited the

Executive Director of UNEP to keep Parties informed of progress in the mobilization of resources, the Working Group had not, at the current session, been presented a report on the amount in the trust fund or on which countries had contributed.

25. The representative of the Netherlands gave an update on his Government's intensive investigations into the disaster, which had revealed inconsistency in the definitions used in the International Convention for the Prevention of Pollution from Ships (MARPOL 73/78) and in the European Union directive on port reception facilities. The Netherlands had requested the European Commission to react on legal imperfections and stressed the need for clarification. The Netherlands made a donation of one million euros to the UNEP trust fund. The representative of France reported that the waste had been shipped from Côte d'Ivoire to France, where it was currently being incinerated.

26. The representative of a non-governmental organization expressed great disappointment with the Basel Convention response to the tragedy in Côte d'Ivoire. He said that the financial contributions called for at the eighth meeting of the Conference of the Parties had been insufficient to remediate the damage done and to assist Côte d'Ivoire in building capacity to manage waste. He stated that the shipment had been illegal under the Convention and should never have left the Netherlands because the European Union had ratified the amendment contained in decision III/1 and had implemented it within its jurisdiction. The disaster showed that customs officials and operators of port facilities needed greater training in order to understand international controls on waste better. He expressed disappointment that only one country had ratified the amendment since the tragedy had occurred, noting that 40 Parties from Africa, 19 from Asia and 21 from Latin America and the Caribbean had not yet done so. Finally, he called for increased financial assistance and urgent ratifications to achieve the earliest possible entry into force of the amendment.

27. The representative of the Secretariat clarified that the purpose of the technical assistance mission in Abidjan in November 2006 had been to look into medium-term measures to ensure that such a disaster never happened again. It would be beyond the remit of the Secretariat to determine the legality or illegality of the importation, which was a matter for the Parties and not for that mission.

28. At its 7th plenary meeting, on the afternoon of Thursday, 7 September 2007, the Working Group considered and adopted a draft decision that had been prepared by the European Union and Côte d'Ivoire and circulated in a conference room paper. Decision OEWG-VI/1 on Côte d'Ivoire, as adopted, is contained in annex I to the present report.

29. The representative of Côte d'Ivoire reiterated his country's thanks for the support and assistance that his country had received.

VI. Basel Convention regional and coordinating centres

A. Review of the operation of the Basel Convention regional and coordinating centres

30. The Working Group took up the sub-item at its 2nd plenary meeting, on the afternoon of Monday, 3 September 2007. It had before it a note by the Secretariat on the issue (UNEP/CHW/OEWG/6/3); a compilation of views on the objectives and scope of the review (UNEP/CHW/OEWG/6/INF/2) and a status report by the regional and coordinating centres themselves (UNEP/CHW/OEWG/6/INF/3). The representative of the Secretariat introduced the sub-item, summarizing the information set out in document UNEP/CHW/OEWG/6/3.

31. In the ensuing discussion, there was general agreement that the regional and coordinating centres made a vital contribution to the implementation of the Convention and its Strategic Plan and that any review of their operation, therefore, should seek to strengthen the centres. Some representatives urged that any review of the centres should aim, in the words of decision VIII/4, "to enhance the combined effectiveness and capacity of the Basel Convention centres and the Secretariat". Several representatives suggested, however, that the regional centres' work might need to be more strategically structured in order to match Parties' priorities. The review, therefore, should aim to set the parameters for the future work of the regional and coordinating centres and their financial sustainability.

32. One representative noted that the issues set out in paragraph 7 of UNEP/CHW/OEWG/6/3 only partially reflected the views compiled in document UNEP/CHW/OEWG/6/INF/2. Notably, several of the points made by developing countries seemed to have been omitted. Other representatives affirmed the need for enhanced financial resources to support the centres, particularly because many were located

in developing countries or countries with economies in transition, which were facing increasing difficulty in bearing the cost of the centres. It was also suggested that synergies might be achieved through the establishment of joint centres, sharing their activities and resources with other multilateral environmental agreements.

33. The Working Group resumed its consideration of the sub-item at its 3rd plenary meeting, on the morning of Tuesday, 4 September 2007. One representative expressed concern that the centres generally were operational only when working on a specific project and were less active in between projects. A vision and strategy were therefore required to ensure the long-term sustainability of the centres and the network. On that basis, the possibility of Basel Convention centres also becoming regional Stockholm Convention centres was welcomed. One representative also highlighted the positive step taken by one centre in implementing a Global Environment Facility project. Several representatives stressed that capacity-building and the successful transfer of technology were also crucial for ensuring the sustainability and for enhancing the effectiveness of the network.

34. One representatives of a group of Parties said that, given the work involved in reviewing the operation of the centres and compiling a comprehensive report, it was important that the objectives and scope of the review be agreed on at the current session to enable the Secretariat to conduct the review in time to submit it to the ninth meeting of the Conference of the Parties. It was suggested that the outcome of discussions of the ad hoc joint working group on enhanced cooperation and coordination among the Basel Stockholm and Rotterdam Conventions should be taken into account when preparing the review.

35. Following the initial discussion, the Working Group agreed to refer the issues under the present sub-item to the contact group on the Basel Convention regional centres for further consideration.

36. The co-chairs of the contact group reported back to the Working Group at its 5th plenary meeting, on the afternoon of Wednesday, 5 September 2007. They said that the contact group had worked constructively and had reached agreement on all elements of the debate. The Parties had agreed on the important role of the centres in implementing the Convention. They had noted the work under way in the ad hoc joint working group on cooperation and coordination among the Stockholm, Rotterdam and Basel Conventions. They had also discussed guidance to the Secretariat on its report on the functioning of the centres to the Conference of the Parties at its ninth meeting, emphasizing their desire for that report to respond to the overarching objectives contained in decision VI/3, particularly those on the enhancement, strengthening and financial sustainability of the centres. A key message was the distinction between the report that was to be written by the Secretariat and the subsequent review, which was rightfully the responsibility of the Conference of the Parties.

37. The co-chairs stressed that adoption of a draft decision on the matter would enable the Secretariat to begin the task of preparing the report and make it available on the Convention website on 15 December 2007. Parties, signatories and regional centres would then have the opportunity to comment on it until 31 January 2008. Any comments received would be forwarded, together with the report itself, to the Conference of the Parties for consideration at its ninth meeting.

38. At its 6th plenary meeting, on the morning of Thursday, 6 September 2007, the Working Group adopted the draft decision on the review of the operation of the Basel Convention regional and coordinating centres, as proposed in a conference room paper submitted by the contact group on Basel Convention regional centres. Decision OEWG-VI/2 is contained in annex I to the present report.

B. Consideration of the proposal for the establishment of a regional centre for South Asia in the South Asia Cooperative Environment Programme

39. The Working Group took up the sub-item at its 4th plenary meeting on the morning of Wednesday, 5 September 2007. The Working Group had before it a note by the Secretariat on the progress to date (UNEP/CHW/OEWG/6/4) and the executive summary of the South Asia Cooperative Environment Programme's proposal (UNEP/CHW/OEWG/6/INF/24). The representative of the Secretariat said that by decision VIII/3, the Conference of the Parties had mandated the Working Group to consider, on the basis of a feasibility study, a proposal for the establishment of a regional centre for South Asia at the secretariat of the South Asia Cooperative Environment Programme in Colombo. The Secretariat had received the full proposal on 17 August 2007 and the feasibility study had not yet been carried out. Owing to its late submission, the proposal had not been reviewed by the Secretariat.

40. The representative of the South Asia Cooperative Environment Programme introduced the proposal, stressing the importance of such a centre for the South Asia region in the light of the region's booming economies and rapidly growing shipping activity. If it was not possible to consider the matter

at the current session, the representative asked for the matter to be forwarded to the Conference of the Parties for consideration at its ninth meeting. The representative of Sri Lanka emphasized the value of establishing the centre at the secretariat of the South Asia Cooperative Environment Programme, noting that, as an intergovernmental organization, it already had many of the necessary structures and mechanisms in place. He said that his Government would do all that it could to support the new centre.

41. While some representatives expressed support for the establishment of the centre, others suggested that enough centres already existed in the region. One speaker said that she considered that the Conference of the Parties at its seventh meeting had concluded that the network would not be expanded any further. Several representatives said that owing to the proposal's late submission, more time was needed before deciding on the establishment of a new centre. Some preferred to wait for the results of the feasibility study. Others argued that it was not a matter for the Working Group to discuss and that the Secretariat should merely review the proposal and feasibility study for submission to the Conference of the Parties. The representative of the Secretariat confirmed that such a review would be prepared and submitted to the Conference of the Parties at its ninth meeting.

VII. Technical matters

A. Technical guidelines on environmentally sound management

1. Revised technical guidelines on environmentally sound management of used tyres

42. The Working Group took up the sub-item at its 2nd plenary meeting, on the afternoon of Monday, 3 September 2007. In considering the sub-item, the Group had before it notes by the Secretariat on technical guidelines on environmentally sound management (UNEP/CHW/OEWG/6/5) and revised technical guidelines on environmentally sound management of used tyres (UNEP/CHW/OEWG/6/INF/6).

43. The representative of the Secretariat said that although the first draft of the revised technical guidelines on environmentally sound management of used tyres prepared by Brazil had been posted for comment on the Convention website, no feedback had been received to date from any stakeholders. The representative of Brazil also gave a brief introduction of the draft revised guidelines.

44. Several representatives thanked Brazil for leading the review of the guidelines and said that their failure to submit comments was due not to a lack of interest in the document but rather to insufficient time to analyse it in detail. The representative of a group of Parties said that further consideration was needed of what activities constituted environmentally sound management for the purposes of the guidelines and suggested that the title of the document should be amended to "technical guidelines on the environmentally sound use of waste pneumatic tyres", in order to reflect the language used in the Convention. He said that it was not realistic to expect the guidelines to be adopted by the Conference of the Parties at its ninth meeting and that the preparation of a draft decision on the matter would therefore be premature.

45. The Working Group agreed to refer the issues arising under the present sub-item to the contact group on technical matters for further consideration.

46. At its 6th plenary meeting, on the morning of Thursday, 6 September 2007, the Working Group adopted the draft decision on the revision of the technical guidelines on environmentally sound management of used tyres, based on the text proposed by the contact group on technical matters, as orally amended. Decision OEWG-VI/3 is contained in annex I to the present report.

2. Review of other selected technical guidelines pursuant to decision VIII/17, e.g., on incineration on land (D10), specially engineered landfill (D5), and wastes collected from households (Y46)

47. The Working Group took up the sub-item at its 2nd plenary meeting, on the afternoon of Monday, 3 September 2007. In considering the sub-item, the Group had before it a note by the Secretariat on technical guidelines on environmentally sound management (UNEP/CHW/OEWG/6/5).

48. The representative of the Secretariat said that no comments or proposals had been received from Parties or other stakeholders on the review of other selected technical guidelines pursuant to decision VIII/17. He therefore invited comments from those Parties and stakeholders that had indicated at the eighth meeting of the Conference of the Parties that further review should be conducted. The representative of a group of Parties said that developing countries' level of interest in the guidelines would be a key determinant of the way forward.



Basel Convention Regional Center for Southeast Asia

Ref : 07/BCRC-SEA/03/2008

Jakarta, 6 March 2008

Dr. A.A. Boaz
Director General
South-Asia Cooperative Environment Programme
#10 Anderson Road, Colombo 5
Sri Lanka

Subject : Establishment of Basel Convention Regional Centre (BCRC) for South Asia at SACEP, Colombo, Sri Lanka

Dear Dr. A.A Boaz

With refer to your letter No. 01/PO/05/02/Lt26/085, I herewith acknowledge receipt of the detailed proposal you sent me by e-mail last year.

Regarding the establishment of BCRC at SACEP, Colombo, Srilanka, until now I am still questioning the service area (countries served) of the BCRC, since BCRC-SEA serves the 10 countries in South-East Asia and BCRC in Beijing claimed to serve the countries in Asia Pacific. This matter should lie in the authority of the COP to clarify and hopefully it can be settled during the COP 9 in Bali, Indonesia.

Thank you for your kind invitation to visit SACEP Secretariat at Colombo, Srilanka, however I would like to regretfully inform you that until June we are very occupied with assisting the preparation for the COP 9 in Bali, Indonesia, and therefore will not be able to fulfill your invitation.

Yours sincerely,

Aboejoewono Aboeprajitno
Director

From: soroush modabberi [mailto:s_modabberi@yahoo.com]
Sent: Tuesday, March 04, 2008 8:38 PM
To: sacep@eureka.lk
Cc: Nelson SABOGAL; Ibrahim Shafii; Mohsen Esperri; Saeid Zahedi; fereshteh zakery
Subject: SACEP proposal on establishment of BCRC

Dear Mr. Boaz,

I would like to thank you sincerely for your communication and kind attention to Basel Convention Regional Center in Tehran (Islamic Republic of Iran) regarding the proposal of establishing Basel Convention Regional Centre for South Asia .

As you are aware of, with regard to responding your proposal, BCRC Tehran center needs to do further coordination with relevant sectors that the mains are as follows:

- Local organizations, entities and all relevant stakeholders that have direct cooperation with the Center,
- All Basel Convention Regional Center member states and non- member states which participate in the Center Meeting,
- Other Basel Convention Regional Centers in Asia ,

This Center will continue this coordination with above-mentioned in due time and will communicate with you in this regard.

In brief it should be mentioned that Basel Convention Regional Center in Tehran has many real concerns regarding your esteemed proposal for possibility of establishment of another Basel Convention Regional Centre in the region.

Finally, we are afraid we can not go along with this proposal.

Best regard,

Soroush Modabberi, Ph.D.

Director of Basel Convention Regional Center in Tehran (Tehran-BCRC)

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