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**Conference of the Parties to the Basel Convention
on the Control of Transboundary Movements of
Hazardous Wastes and Their Disposal**
Seventh meeting
Geneva, 25–29 October 2004

Report of the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal

I. Opening of the meeting

1. The seventh meeting of the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal was held at the Palais des Nations, Geneva, from 25 to 29 October 2004. The meeting was called to order at 10.15 a.m. on Monday, 25 October 2004, by Mr. Ioan Jelev (Romania), President of the sixth meeting of the Conference of the Parties.
2. In his opening remarks, Mr. Jelev noted with satisfaction that the number of Parties to the Convention had increased during the period since the sixth meeting of the Conference of the Parties from 152 to 163, and went on to highlight the Convention's achievements during that time, including the adoption of the Strategic Plan for the Implementation of the Basel Convention, preparation of technical guidelines on such matters as the environmentally safe management of persistent organic pollutant (POP) wastes; the dismantling of ships and other waste streams; and the strengthening of the Basel Convention Partnership Programme. He also commended the work currently under way on cooperation between the Convention and mobile phone companies on the recycling of used phones and urged participants to focus on partnership for meeting the global waste challenge and mobilization of resources for a cleaner future, which had been set as the themes for the high-level segment of the current meeting.
3. Ms. Sachiko Kuwabara-Yamamoto, Executive Secretary of the Secretariat of the Basel Convention, then welcomed the participants, expressing the view that, as the most comprehensive and significant international treaty on hazardous wastes currently in effect, the Basel Convention contributed to sustainable development by ensuring the environmentally sound management of hazardous and other wastes and promoting the efficiency of industrial processes, as well as by creating legally binding guidelines on minimizing wastes at source, treating and disposing of wastes as near as possible to their point of generation, and minimizing waste exports. Nevertheless, remaining gaps and discrepancies in the various sets of global and regional rules governing transboundary waste movement still needed to be eliminated.
4. She stressed that, while the number of Parties to the Convention had been steadily increasing and had reached 163, several dozen countries still remained outside the Convention, leaving it short of the goal of universal membership. At the same time, the growing membership meant that more resources had to be mobilized. Continuing zero growth in its budget and staff size, however, dictated that resources be spread far too thinly and hindered implementation of the various technical guidelines and other commitments. The Basel Convention regional centres that had been launched were a great success story and an excellent investment that promised to strengthen the Convention's role in more effective coordination with partners, but they also contributed to the growth of demand on resources. Having thus highlighted the critical issue of resource mobilization, she stressed its prominent place on

the agenda of the current meeting and assured the Conference of her eagerness to work together with Parties and others in the quest to find solutions.

II. Election of the President and other officers

5. The following officers were elected to the Expanded Bureau of the seventh meeting of the Conference of the Parties:

President:	Mr. Saul Irureta (Uruguay)
Vice-Presidents:	Mr. Abdul Hameed (Pakistan) Ms. Krystyna Panek-Gondek (Poland) Mr. Arcado Dennis Ntagazwa (United Republic of Tanzania)
Rapporteur:	Mr. Mark Hyman (Australia)

6. Following his election, Mr. Irureta briefly reviewed the history of the Convention, from the warning sounded in Stockholm more than 30 years previously at the United Nations Conference on the Human Environment about the dangers posed by hazardous wastes and their transboundary movement, to the adoption, in response to that warning, of the Convention in 1990. The challenge now faced by the Convention, which was an established element of the multilateral environmental agenda, was to give form and content, particularly through the establishment of international alliances, to the collective will to tackle the issue of hazardous wastes.

7. Mr. Guillermo Valles (Uruguay) presided over the 3rd–6th sessions of the meeting, on Tuesday and Wednesday, 26 and 27 October, in the absence of Mr. Irureta, who was unable to attend owing to a longstanding prior engagement.

III. Adoption of the agenda

8. At the opening plenary session, the Conference adopted the following agenda, based on the provisional agenda which had been circulated in document UNEP/CHW.7/1:

1. Opening of the meeting.
2. Election of the President and other officers.
3. Adoption of the agenda.
4. Organization of the meeting.
5. Credentials of representatives.
6. Report on the implementation of the decisions adopted by the Conference of the Parties at its sixth meeting.
7. Financial matters.
8. Partnership for meeting the global waste challenge.
9. Other matters.
10. Adoption of the decisions and the report.
11. Closure of the meeting.

IV. Organization of the meeting

A. Attendance

9. The following Parties to the Basel Convention were represented: Albania, Algeria, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Chad, Chile, China, Colombia, Costa Rica, Cuba, Czech Republic, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, European Community, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Hungary, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Japan, Jordan, Kenya, Kuwait, Kyrgyzstan, Latvia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Morocco, Mozambique, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Saint Lucia, Saudi Arabia, Senegal, Serbia and Montenegro, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Syrian Arab Republic, Thailand, The Former Yugoslav Republic of Macedonia, Trinidad and Tobago, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia.

10. The following States not party to the Convention participated as observers: Democratic People's Republic of Korea, Gabon, Iraq, United States of America.

11. Observers from the following United Nations bodies and, specialized agencies, intergovernmental organizations and secretariats of conventions were also present: Food and Agriculture Organization of the United Nations, International Atomic Energy Agency, International Labour Organization, International Maritime Organization, Organisation for Economic Cooperation and Development, United Nations Development Programme, United Nations Economic Commission for Europe, United Nations Environment Programme, United Nations Industrial Development Organization, United Nations Office at Nairobi, World Bank.

12. Representatives from the Basel Convention regional centres in Argentina, China, Egypt, Indonesia, Nigeria, Russian Federation, Senegal, Slovakia, South Africa, Trinidad and Tobago and Uruguay. were also present. The representative of the Pacific Regional Centre for Training and Technology Transfer also attended.

13. The following governmental, non-governmental, private sector and business organizations also participated as observers: American Plastics Council, Auckland University of Technology, Basel Action Network, BIFA GmbH, BIMCO, Bureau of International Recycling, Development Alternatives, Environmental Technology International Ltd., European Federation of Waste Management and Environmental Services, Greenpeace Belgium, Greenpeace International, Initiative Développement Stratégies (Development Strategies Initiative), Institute of Environment and Resources, International Chamber of Shipping, International Council of Chemical Associations, International HCH and Pesticides Association, International Lead Management Centre, International Precious Metals Institute, Japanese Diet, Panasonic Mobile Communications Co., Ltd., Plastics Europe, Shields Environmental, Swiss Federal Institute of Technology Zurich, Tosoh Corporation, World Chlorine Council.

B. Organization of work

14. The President reminded the participants that the meeting would last for five days, two of which would be conducted as a high-level segment. With that in mind, the Conference would be asked to adopt decisions as they were presented to it.

15. The Conference of the Parties agreed to proceed in plenary and to establish such informal working groups as it deemed necessary. The Conference further agreed that the sessions of Thursday and Friday, 28 and 29 October, would take the form of a high-level interactive dialogue among ministers and heads of delegations on the themes of partnership for meeting the global waste challenge and mobilizing resources for a cleaner future.

16. In accordance with rule 29 of the rules of procedure, the Conference agreed that plenary sessions during the meeting would be open to members of the press.

V. Credentials of representatives

17. The Conference was informed that the Bureau had examined the credentials of the representatives attending the meeting and found the credentials of the following parties to be in order: Albania, Algeria, Andorra, Argentina, Australia, Austria, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Chad, Chile, China, Colombia, Costa Rica, Cuba, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, European Community, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Hungary, Indonesia, Ireland, Israel, Italy, Japan, Jordan, Kenya, Kuwait, Latvia, Liechtenstein, Lithuania, Madagascar, Malawi, Malaysia, Maldives, Malta, Mexico, Monaco, Morocco, Mozambique, Namibia, Netherlands, New Zealand, Nicaragua, Norway, Oman, Pakistan, Paraguay, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Senegal, Serbia and Montenegro, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Syrian Arab Republic, Thailand, Trinidad and Tobago, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of).

VI. Report on the implementation of the decisions adopted by the Conference of the Parties at its sixth meeting

A. Technical guidelines

1. Technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with persistent organic pollutants

18. Under agenda item 6, the Conference took up the issue of technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with POPs at its 1st session, on the morning of Monday, 25 October. It had before it a note by the secretariat on the preparation of technical guidelines on the environmentally sound management of wastes (UNEP/CHW.7/8), a note by the Secretariat containing draft general technical guidelines for the environmentally sound management of wastes consisting of, containing or contaminated with POPs (UNEP/CHW.7/8/Add.1), a document prepared by Canada containing draft technical guidelines for the environmentally sound management of wastes consisting of, containing or contaminated with polychlorinated biphenyls (PCBs), polychlorinated terphenyls (PCTs) or polybrominated biphenyls (PBBs) (UNEP/CHW.7/8/Add.2), and a first draft of technical guidelines for the environmentally sound management of pesticide wastes arising from the production of aldrin, chlordane, dieldrin, endrin, heptachlor, hexachlorobenzene, mirex and toxaphene, which had been prepared by the Secretariat (UNEP/CHW.7/INF/21).

19. After thanking Canada for its significant contribution as lead country to the preparation of the technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with PCBs, PCTs or PBBs, the President said that it was important for the Conference to adopt them at the current meeting in view of the forthcoming first meeting of the Conference of the Parties to the Stockholm Convention on Persistent Organic Pollutants, which was to be held in May 2005. He noted with satisfaction the progress that had been made by the intersessional working group established by the Open-ended Working Group at its first session, and said that an informal consultation had been held just prior to the current meeting, with the participation of members of the intersessional working group and interested stakeholders, to discuss the technical guidelines.

20. A representative of the Secretariat thanked the members of the intersessional working group for their efforts and expressed appreciation to the delegation of Australia for having started work on the preparation of the specific technical guidelines on PCDDs and PCDFs, the first draft of which had been presented to the Open-ended Working Group. He pointed out, however, that the document prepared by Australia was not yet ready for adoption and would not be discussed at the present meeting. He informed the Conference that Mexico and the Secretariat had started to prepare the draft specific technical guidelines on DDT and the eight pesticide wastes, respectively, which would be presented to the Open-ended Working Group in 2005.

21. The chair of the informal consultation, Mr. Michael Ernst (Germany), reported on the consultation, which had been held over two full days on 23 and 24 October 2004 in a spirit of cooperation. Since a significant amount of new information had recently become available, it had not been possible to complete the discussion of both the draft technical guidelines prepared by Canada and

the draft general technical guidelines. Regarding the definition of low POPs content, he said that there had been general agreement during the informal consultation that concentration levels of PCBs and other groups of POPs, excluding dioxins and furans, should be established at 50 milligrams per kilogram. No agreement had been reached, however, with regard to dioxin and furan levels, and a range of levels had been proposed. He suggested that a compromise solution of 10 micrograms TEQ/kg should be adopted, but that issue, as well as destruction levels, methods other than destruction and other outstanding issues, required further consideration.

22. The Conference agreed to establish a small working group, under the chairmanship of Mr. Ernst, to further the work on the issue during the current meeting, taking into account the results of the informal consultation and the comments received before and during the meeting.

23. The meeting resumed consideration of the issue at its 9th session, on the morning of 29 October, at which time it considered the outcome of the work by the small working group and adopted a decision on the basis of the draft contained in the relevant conference room paper, as orally amended, by which it adopted the general POPs guidelines contained in document UNEP/CHW.7/8/Add.1/Rev.1 and the PCB/PCT/PBB guidelines contained in document UNEP/CHW.7/8/Add.2/Rev.1. The decision as adopted is set out as decision VII/13 in annex I to the present report.

24. Following adoption of the decision, the representative of Greenpeace made a statement in which he pointed out that, under the Stockholm Convention, POPs-containing chemicals had to be destroyed or irreversibly transformed, so that they no longer exhibited POPs characteristics. The technical guidelines, as adopted, contained no such requirement and applied apparently arbitrary criteria for the management of POPs wastes.

2. Preparation of technical guidelines on the environmentally sound recycling/reclamation of metals and metal compounds (R4)

25. The Conference took up the issue of technical guidelines on the environmentally sound recycling/reclamation of metals and metal compounds (R4) at its 1st session, on the morning of Monday, 25 October. It had before it a note by the Secretariat on the preparation of technical guidelines on the environmentally sound management of wastes (UNEP/CHW.7/8) and a document containing a revised version of draft technical guidelines on the environmentally sound recycling/reclamation of metals and metal compounds (R4) (UNEP/CHW.7/8/Add.3), which had been prepared by Australia taking into account comments received.

26. The Conference adopted a decision in which it adopted the draft technical guidelines (UNEP/CHW.7/8/Add.3), on the basis of the draft contained in document UNEP/CHW.7/2. The decision as adopted is set out as decision VII/14 in annex I to the present report.

3. Preparation of technical guidelines on the environmentally sound management of wastes resulting from surface treatment of metals and plastics (Y17)

27. The Conference took up the issue of technical guidelines on the environmentally sound management of wastes resulting from surface treatment of metals and plastics at its 1st session, on the morning of Monday, 25 October. It had before it a note on the issue prepared by the Secretariat (UNEP/CHW.7/8).

28. The Conference adopted a decision in which it adopted the draft technical guidelines prepared by Australia, on the basis of the draft contained in document UNEP/CHW.7/2. The decision as adopted is set out as decision VII/15 in annex I to the present report.

B. Dismantling of ships

29. Under agenda item 6, the Conference took up the issue of dismantling of ships at its 1st session, on the morning of 25 October. It had before it notes by the Secretariat on the Joint Working Group of the International Labour Organization (ILO), the International Maritime Organization (IMO) and the Basel Convention on ship scrapping (UNEP/CHW.7/19) and on legal aspects of the full and partial dismantling of ships (UNEP/CHW.7/22), as well as a compilation of comments on the issue by Parties and others (UNEP/CHW.7/INF/10 and Add.1).

30. The Secretariat informed the Conference that an informal consultation had taken place on the legal aspects of the full and partial dismantling of ships just prior to the current meeting. The Conference was also informed that China had been nominated as the representative of the group of

Asian and Pacific countries as a member of the joint ILO/IMO/Basel Convention working group on ship scrapping, which would hold its first meeting in February 2005, and that nominations for members of the joint working group were still awaited from Africa and the Eastern and Central European region.

31. The representative of IMO reported on relevant issues discussed at the fifty-second session of the Marine Environment Protection Committee (MEPC), which was held in October 2004. At that meeting, MEPC had agreed that certain sections of the IMO guidelines on ship recycling might be given mandatory effect and had developed an initial list of the elements of the guidelines for which a mandatory scheme might be considered the most suitable option for their implementation. A new IMO instrument that would provide legally binding and globally applicable ship-recycling regulations might be developed, it was said, but further work was needed before a specific proposal could be put forth. A draft schematic to describe a contemplated reporting system for ships destined for recycling had been developed, and MEPC had approved guidelines for the development of the ship-recycling plan.

32. MEPC had agreed that a single list of onboard potentially hazardous materials should be developed and should provide guidance on the identification of those materials and the preparation of relevant inventories. It was suggested that it might be appropriate to seek input from the ILO/IMO/Basel Convention joint working group prior to finalization of the list. He concluded by detailing other outcomes of the MEPC and noted that most of the reported activities would require further work and development.

33. Following debate, the Conference agreed to set up a small working group, to be chaired by Mr. Roy Watkinson (United Kingdom of Great Britain and Northern Ireland), to further work on the issue during the current meeting, taking into account the debate on the issue.

34. The meeting resumed consideration of the issue at its 10th session, on the afternoon of 29 October, at which time it heard a report from the chair of the contact group, who expressed the view of the group that any legally binding solution, as referred to in paragraph 6 of the draft decision on the environmentally sound management of ship dismantling that had been circulated in the meeting, could be developed under the auspices of IMO, ILO or the Basel Convention.

35. The Conference then adopted decisions on the issue on the basis of the drafts contained in the relevant conference room papers. The decisions as adopted are set out as decisions VII/25, VII/26 and VII/27 in annex I to the present report.

36. Following adoption of the decisions, one representative, speaking on behalf of a group of countries, expressed strong support for the three decisions, which, he said, would send a strong signal on the importance of the issue. The countries on whose behalf he spoke all agreed that any legally binding solution that was developed for the issue could be established under the auspices of IMO, ILO or the Basel Convention and were encouraged that the decision on the abandonment of ships would allow for the exchange of information, so that the issue could be tackled in cooperation with IMO.

37. Another representative reiterated his country's concern regarding the health and environmental impacts of ship dismantling and commended the steps taken at the present meeting, together with developments at IMO and the upcoming work of the ILO/IMO/Basel Convention joint working group. He expressed his country's belief that efforts to solve the problem should initially involve coordination at the national level between environment, transport, and other relevant ministries, which would facilitate cooperation – rather than competition – between ILO, IMO and the Basel Convention and help ensure progress towards a practical solution. In that regard, he stressed that the solution would be best pursued through IMO, and suggested that the joint working group should also focus on practical and workable solutions and avoid being sidetracked by legal issues regarding specific obligations under existing instruments. Finally, he pointed out that, in the opinion of his Government, obligations of the Basel Convention did not generally apply to the transboundary movements of ships, as ships were not classified as hazardous wastes, and stated his country's belief that continued debate of legal issues would not be fruitful.

C. Strategic Plan for the Implementation of the Basel Convention

38. Under agenda item 6, the Conference took up the issue of the Strategic Plan for the Implementation of the Basel Convention at its 2nd session, on the afternoon of Monday, 25 October. The Executive Secretary drew attention to the relevant documentation (UNEP/CHW.7/3 and UNEP/CHW.7/INF.4) and reiterated that financial aspects related to the Strategic Plan would be discussed by the working group discussing financial matters. She said that the \$1.2 million approved under decision VI/21 had been allocated to 21 projects for implementation of the Strategic Plan at the first and second sessions of the Open-ended Working Group. She noted that progress made on the

implementation of the projects was described in the relevant documentation, and observed that the implementation of the projects by Parties and the Basel Convention regional centres had directly assisted in the implementation of the Strategic Plan. Progress and terminal reports on the projects were available on the Convention web site.

39. Following the Executive Secretary's introduction, representatives made a number of suggestions for implementing the Strategic Plan.

40. While addressing the issue of funding for the Strategic Plan, the Conference emphasized the need for the Open-ended Working Group to develop an effective resource mobilization strategy to strengthen the financial basis for implementing the Strategic Plan, including gaining access to multilateral financial institutions, such as the Global Environmental Facility and the World Bank, and regional funding institutions, based on the discussions at the current meeting.

41. The Conference resumed its consideration of the issue at its 11th session, on the evening of Friday, 29 October, at which time it adopted a decision on the issue on the basis of the draft contained in document UNEP/CHW.7/2, as orally amended. The decision as adopted is set as decision VII/1 in annex I to the present report.

D. Capacity-building for implementation of the Strategic Plan

42. The Conference took up the issue of capacity-building for implementation of the Strategic Plan at its 2nd session, on the afternoon of Monday, 25 October. It had before it a note by the Secretariat describing the capacity-building activities that had been carried out since March 2004 (UNEP/CHW.7/4). Introducing the item, the Executive Secretary referred to Conference of the Parties decision VI/11 on capacity-building and drew attention to a report on activities relating to training, capacity-building, and the promotion of public awareness since the sixth meeting of the Conference of the Parties that had been submitted to the Open-ended Working Group at its third session, held in Geneva from 26 to 30 April 2004 (UNEP/CHW/OEWG/3/4). She introduced the draft decision on the issue contained in UNEP/CHW/7/2.

43. After a debate on the issue, the Conference adopted a decision on the issue on the basis of the draft contained in document UNEP/CHW.7/2, as orally amended. The decision as adopted is set out as decision VII/8 in annex I to the present report.

E. Framework agreements and business plans of the Basel Convention regional centres

44. Under agenda item 6, the Conference took up the issue of framework agreements and business plans for the regional centres at its third session, on the morning of Tuesday, 26 October. It had before it a note by the Secretariat on framework agreements and business plans (UNEP/CHW.7/5), information documents on a summary of business plans for regional centres for training and technology transfer (UNEP/CHW.7/INF/5/Rev.1), business plans for 2005–2006 (UNEP/CHW.7/INF/6 and Add.1) and framework agreements (UNEP/CHW.7/INF/7) for regional centres, and a report on the fourth consultative meeting of the regional centres (UNEP/CHW.7/INF/18).

45. The representative of the Secretariat elaborated on the current status of the framework agreements and the business plans, noting in particular that two framework agreements had been signed, one with Uruguay and another with the SPREP, and that the agreements for the regional centre for training and technology transfer for the Arab States in Cairo, Egypt and the regional centre for the Caribbean in Trinidad and Tobago would be signed during the current session. He added that of the eleven countries that had signed the agreement establishing the African Institute for the Environmentally Sound Management of Hazardous and Other Wastes in Pretoria, South Africa, five ratifications were necessary to establish the African Institute, which would act as the regional centre for English-speaking African countries. He commended the sincere commitment of countries to the establishment of the regional centres, as evidenced by their national in-kind contributions.

46. In the discussion of the issue, all representatives who spoke expressed their appreciation to the Secretariat for its continued support in the process of establishing the regional centres, to the international bodies that had assisted in the process and to donor countries for their financial contributions to the numerous projects carried out by the regional centres and their recognition of the unique approach that the Conference had taken in implementing the Convention through the regional centres. They also reported on projects, training workshops and activities in progress, completed and planned by the regional centres and coordinating centres, and elaborated on the progress of their

business plans. Several representatives praised the increased collaboration between the Basel Convention and other conventions, which had assisted in building synergies at the national level. The representatives of Uganda and Nigeria reported that, by the end of the year, their countries would ratify the agreement to establish the regional centre for English-speaking African countries in Pretoria.

47. The representative of the United Nations Development Programme reported on work pursued to achieve the internationally agreed goals contained in the Millennium Declaration through programmes for poverty alleviation and improved living conditions, which encompassed waste management efforts. He said his organization would contact the Secretariat to offer assistance to regional centres, especially where national efforts were necessary.

48. The Conference then established a small working group to further work on the issue during the current meeting.

49. The Conference took up the issue again at its 11th session, at which time it adopted a decision on the issue on the basis of the draft contained in the relevant conference room paper, as orally amended. The decision as adopted is set out as decision VII/9 in annex I to the present report.

F. Implementation of the environment initiative of the New Partnership for Africa's Development (NEPAD) as it relates to hazardous wastes and other wastes

50. Under agenda item 6, the Conference took up the issue of the NEPAD environment initiative at its 3rd session, on the morning of Tuesday, 26 October. It had before it a progress report on follow-up to the World Summit on Sustainable Development (UNEP/CHW.7/30). Introducing the document, the Executive Secretary also drew attention to additional information provided to the Open-ended Working Group in document UNEP/CHW/OEWG/3/6. She observed that, as the Basel Convention and its regional centres were mandated to cooperate on environmental matters, it was natural that they should be involved in the NEPAD environment initiative and associated matters such as the integrated management of hazardous wastes and other wastes. In its decision 5.5, adopted in Sirte, Libyan Arab Jamahiriya, in June 2004, the African Ministerial Conference on the Environment (AMCEN) had stressed its support for such activities.

51. The Conference adopted a decision on the issue on the basis of the draft contained in document UNEP/CHW.7/2. The decision as adopted is set out as decision VII/6 in annex I to the present report.

G. Implementation of decision III/1 on amendment of the Basel Convention

52. Under agenda item 6, the Conference took up the issue of the implementation of decision III/1 on amendment of the Basel Convention (the Ban Amendment) at its 3rd session, on the morning of Tuesday, 26 October. Introducing the draft decision on the issue, the representative of the Secretariat pointed out that, by 21 October 2004, 51 Parties had ratified the Ban Amendment.

53. Considerable debate ensued. Noting the divergence of the views expressed, a number of representatives suggested that informal consultations be held among regional groupings and that the issue be deferred to the eighth meeting of the Conference. The acting President proposed, and the Conference agreed, that the Bureau would consult interested Parties on the issue and report back to the Conference later during the current meeting on how to proceed.

54. The Conference took up the issue again at its 11th session, on the evening of 29 October, at which time it adopted a decision on the issue on the basis of the draft contained in the relevant conference room paper. The decision as adopted is set out as decision VII/23 in annex I to the present report.

H. Analysis of issues relating to Annex VII

55. Under agenda item 6, the Conference took up the issue of the analysis of issues relating to Annex VII at its 3rd session, on the morning of Tuesday, 26 October. Introducing the issue, the representative of the Secretariat drew attention to the analysis of issues contained in document UNEP/CHW.7/12, which had been prepared by the Secretariat pursuant to the Conference's request at its sixth meeting and as agreed by the Open-ended Working Group at its third session.

56. Following debate, the Conference agreed to amend the second sentence of paragraph 7 of document UNEP/CHW.7/12 to refer only to the provisions of article 17, paragraph 5, of the Convention concerning entry into force of the amendments, and adopted a decision on the issue on the basis of the draft contained in document UNEP/CHW.7/2, as orally amended. The decision as adopted is set out as decision VII/24 in annex I to the present report.

57. Following adoption of the decision, the representatives of Australia and Canada made statements, which they requested be appended to the report of the meeting. Those statements are contained in annex II to the present report.

I. Interim guidelines for 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

58. Under agenda item 6, the Conference took up the issue of interim guidelines for 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 at its 4th session, on the afternoon of Tuesday, 26 October. It had before it the draft decision on the issue contained in document UNEP/CHW.7/2.

59. The representative of the Secretariat recalled that, by decision V/32, the Conference of the Parties had decided to enlarge, on an interim basis, the scope of the Technical Cooperation Trust Fund in order to assist developing and other countries in need of technical assistance in the implementation of the Basel Convention, and noted the generous contributions to that Fund made by the Governments of Denmark, Finland, France, New Zealand, Norway, Switzerland and the United Kingdom of Great Britain and Northern Ireland. She further recalled that, by its decision VI/14, the Conference had adopted interim guidelines for the implementation of decision V/32. To date, however, no requests for assistance that met the criteria established in decision VI/14 had been received by the Secretariat.

60. Following debate on the issue, the Conference agreed to hold informal consultations with a view to preparing a draft decision that would meet with the approval of all Parties.

61. The Conference resumed consideration of the issue at its 9th session, on the morning of 29 October, at which time it considered the outcome of the work by the contact group and adopted a decision on the issue on the basis of the draft contained in the relevant conference room paper. The decision as adopted is set out as decision VII/29 in annex I to the present report.

J. Illegal traffic

62. Under agenda item 6, the Conference took up the issue of illegal traffic at its 4th session, on the afternoon of Tuesday, 26 October. It had before it a note by the Secretariat containing a draft training manual for the enforcement of laws implementing the Basel Convention (UNEP/CHW.7/24). The manual, which had been prepared by the Secretariat in accordance with decision VI/16, was meant to provide guidance on the safe and effective detection, investigation, and prosecution of illegal traffic in hazardous and other wastes. The Conference also had before it a document containing comments on the draft manual received from Canada and Colombia (UNEP/CHW.7/INF/16). Introducing the issue, a representative of the Secretariat drew attention to the draft decision on illegal traffic contained in document UNEP/CHW.7/2, which, among other things, would approve the draft training manual.

63. A number of representatives welcomed the development of the draft training manual and noted the usefulness of such a document, but said that the document before the Conference warranted further consideration. One representative said that the document had the qualities of an information document rather than a training manual, and another said that it did not provide sufficient guidance on the role of competent authorities in preventing, detecting and handling illegal shipments of wastes. Another representative stressed the importance of strengthening cooperation between Parties, in particular with regard to verifying documentation relating to the transboundary movement of hazardous wastes. Two representatives highlighted the need to develop manuals that were tailored to the individual needs of each country.

64. In the light of the views expressed, the Conference agreed to mandate consideration and approval of the draft training manual by the Open-ended Working Group at its fourth session. The Conference agreed that the draft decision should be amended and submitted for further consideration by the Parties.

65. The Conference resumed consideration of the issue at its 9th session, on the morning of 29 October, at which time it considered the outcome of the work by the contact group and adopted a decision on the issue on the basis of the draft contained in the relevant conference room paper, as orally amended. The decision as adopted is set out as decision VII/34 in annex I to the present report.

K. Transmission of information, including implementation of decision II/12

66. Under agenda item 6, the Conference took up the issue of the transmission of information, including implementation of decision II/12, at its 4th session, on the afternoon of Tuesday, 26 October. The acting President drew attention to the draft decision on the issue contained in document UNEP/CHW.7/2. The representative of the Secretariat also referred to decision VI/27, requesting the Parties to report periodically to the Secretariat. She noted that in 2001, 107 Parties had reported, but that only 94 had done so in 2002, and stressed the importance of the exchange of information with Parties and other stakeholders.

67. The Conference adopted a decision on the issue on the basis of the draft contained in document UNEP/CHW.7/2, as orally amended. The decision as adopted is set out as decision VII/35 in annex I to the present report.

L. National definitions of hazardous wastes

68. Under agenda item 6, the Conference took up the issue of national definitions of hazardous wastes at its 4th session, on the afternoon of Tuesday, 26 October. Introducing the issue, the representative of the Secretariat drew attention to the draft reporting format prepared by the Secretariat and annexed to the draft decision on the issue. She informed participants that several Parties had already used the draft format, which had been submitted to the Conference of the Parties for its consideration and possible adoption.

69. The Conference adopted a decision on the issue on the basis of the draft contained in document UNEP/CHW.7/2. The decision as adopted is set out as decision VII/33 in annex I to the present report.

M. Designation of competent authorities and focal points

70. Under agenda item 6, the Conference took up the issue of designation of competent authorities and focal points at its fourth session, on the afternoon of Tuesday, 26 October. It had before it a list of competent authorities and focal points (UNEP/CHW.7/INF/3).

71. The representative of the Secretariat noted that of the 163 Parties to the Convention, 124 had designated competent authorities and 129 had designated focal points. She urged Parties to transmit information concerning competent authorities or focal points in a timely manner to ensure early distribution of data and encouraged Parties to verify the information contained in the list and inform the Secretariat of any modifications.

72. The Conference adopted a decision on the issue on the basis of the draft decision contained in document UNEP/CHW.7/2. The decision as adopted is set out as decision VII/11 in annex I to the present report.

N. Work on hazard characteristics

73. Under agenda item 6, the Conference took up the issue of work on hazard characteristics at its 4th session, on the afternoon of Tuesday, 26 October. It had before it notes by the Secretariat on the issue, containing draft guidance papers on hazard characteristics H6.2, H11 and H13 (UNEP/CHW.7/11, Add.1–3 and Add.3/Corr.1). Introducing the issue, the representative of the Secretariat noted that the revision of the paper on hazard characteristic H13 had been in progress for some years and little progress had been made on it in recent years; he accordingly urged the Conference to proceed to its adoption. He also explained that the paper on hazard characteristic H6.2 had been circulated later than planned due to unavoidable circumstances, and recalled the decision by the Open-ended Working Group providing that, to expedite progress in the matter, the draft guidance papers should first be adopted on an interim basis and revisited, if necessary, after a few years experience in their application had been gained.

74. Given that certain issues in the paper on hazard characteristic H6.2 remained unresolved, and in response to the expressed need for further discussion on all three guidance papers, the acting President proposed, and the Conference agreed, to set up a small contact group on the issue, to be co-chaired by the United Kingdom of Great Britain and Northern Ireland and the United States of America, to further work on the guidance papers during the current meeting.

75. At the 5th session, on the morning of Wednesday, 27 October, the co-chairs of the contact group reported briefly to the Conference on progress with the group's deliberations. It was reported that the group had reached agreement on a revised text of the guidance papers on the two characteristics (UNEP/CHW.7/11/Add.1 and 2), which would be submitted to the plenary for adoption.

76. The meeting resumed consideration of the issue at its 9th session, on the morning of 29 October, at which time it considered the outcome of the work of the contact group. The chair of the group informed the Conference that there had been agreement in the group on the need for work to continue at the fourth meeting of the Open-ended Working Group on de minimis levels for characteristic H11, as the group had not been able to agree on them. (See item I.D.1. of the work programme of the Open-ended Working Group (decision VII/12, annex).

77. The Conference then adopted a decision on the issue on the basis of the draft contained in document UNEP/CHW.7/2, as orally amended, in which it adopted three guidance papers on the hazard characteristics H6.2, H11 and H13, contained in documents UNEP/CHW.7/11/Add.1/Rev.1, Add.2/Rev.1, Add.3 and Add.3/Corr.1, respectively, and requested parties to contribute to the continuing work on hazard characteristic H.10. The decision as adopted is set out as decision VII/17 in annex I to the present report.

O. Application for plastic-coated cable scrap from India

78. Under agenda item 6, the Conference took up the issue at its 4th session, on the afternoon of 26 October 2004. Introducing the item, the acting President drew attention to document UNEP/CHW.7/15, containing an application by India for PVC-coated cable scrap to be classified under Annexes VIII and IX of the Convention. Comments on the application had been received from four countries. Matters raised in the comments and in the debate during the session included: problems relating to PVC, which was not always recycled, but sometimes either destroyed or reused; the generation of dioxins and furans in the incineration of PVC; the importance of matching the application to the views adopted by the Stockholm Convention expert group on best available techniques (BAT) and best environmental practices (BEP); problems stemming from the uncontrolled smouldering of copper wires, which were becoming widespread in developed and developing countries alike; and the need to assess the environmental impact of copper and plastics processing.

79. The Conference established a small working group to further the work on the issue during the current meeting, taking into account the views expressed during the debate.

80. At the 5th session, on the morning of Wednesday, 27 October, the representative of Germany, whom the members of the small working group had appointed as the group's chair, reported briefly to the Conference on progress with the group's deliberations. He expressed the hope that the group would soon reach agreement on revised wording for the two entries on plastic-coated cable scrap, which would be submitted to the plenary for adoption.

81. The Conference resumed consideration of the issue at its 9th session, on the morning of 29 October, at which time it considered the outcome of the work by the contact group and adopted a decision on the issue on the basis of the draft contained in the relevant conference room paper, with a minor editorial correction. The decision as adopted is set out as decision VII/19 in annex I to the present report.

P. International cooperation

82. Under agenda item 6, the Conference took up the issue of international cooperation at its fifth session, on Wednesday, 27 October. It had before it a note by the Secretariat on international cooperation for 2003–2004 (UNEP/CHW.7/29) and an information paper on the Basel Convention's contribution to the sound management of chemicals and sustainable development (UNEP/CHW.7/INF/20).

83. The Acting President introduced the item, commending the Secretariat on its active international cooperation and encouraging it to continue that work.

84. The Conference adopted a decision on the issue on the basis of the draft contained in document UNEP/CHW.7/2, as orally amended. The decision as adopted is set out as decision VII/38 in annex I to the present report.

Q. Follow-up to the World Summit on Sustainable Development

85. Under agenda item 6, the Conference took up the issue of follow-up to the World Summit on Sustainable Development at its fifth session, on Wednesday, 27 October. It had before it a note by the Secretariat on the issue (UNEP/CHW.7/30).

86. The acting President introduced the item, observing that it was important to bear in mind that activities carried out to implement the Strategic Plan constituted a concrete contribution to the objectives set out at the Johannesburg Summit.

87. The Conference adopted a decision on the issue on the basis of the draft contained in document UNEP/CHW.7/2. The decision as adopted is set out as decision VII/7 in annex I to the present report.

R. Basel Convention Partnership Programme

88. Under agenda item 6, the Conference took up the issue of the Basel Convention partnership programme at its fifth session, on Wednesday, 27 October. It had before it a note by the Secretariat on the partnership programme (UNEP/CHW.7/13) and a conference room paper submitted by Switzerland as chair of the mobile phone working group.

89. A representative of the Secretariat introduced the item and informed the Conference that there were two draft decisions to consider: one on a work plan for the Basel Convention Partnership Programme for the biennium 2005–2006 and one on the mobile phone initiative. He thanked the Government of Switzerland, which had continued to provide support and had pledged further funds for 2005 to sustain the initiative.

90. Mr. Marco Buletti (Switzerland), chair of the mobile phone working group, introduced the draft decision on the mobile phone initiative. He noted that three draft technical reports on refurbishment of used mobile phones, material recovery and recycling, and awareness raising on design considerations were available on the Convention web site. Work on a fourth technical report on collection and transboundary movement of mobile phones was being continued through a project group. A draft overall guidance document on environmentally sound management of end-of-life mobile phones had also been prepared, on which he asked the Parties to submit comments. He noted that the revised overall guidance document could be submitted to the OEWG for provisional adoption and that the individual technical reports would be published separately.

91. Several representatives thanked the Government of Switzerland for its leadership and financial support on the mobile phone initiative. It was noted that the work programme proposed was very ambitious and would require considerable work and funding to maintain. Some representatives noted that financial contributions to the mobile phone initiative should be on a voluntary basis and additional to voluntary contributions for other programmes and projects.

92. The Conference took up the issue again at its 11th session, on the evening of 29 October, at which time it adopted a decision on the issue on the basis of the draft contained in the relevant conference room paper. The decision as adopted is set out as decision VII/4 in annex I to the present report.

S. Collaboration with the South Pacific Regional Environment Programme

93. Under agenda item 6, the Conference took up the issue of collaboration with the South Pacific Regional Environment Programme (SPREP) at its 5th session, on the morning of Wednesday, 27 October. The Secretariat informed the Conference that, on 18 December 2003, the Secretariat had signed a memorandum of understanding with SPREP on the establishment within SPREP of the Pacific Regional Centre for Training and Technology Transfer, for the joint implementation of the Basel and the Waigani conventions in the South Pacific Region. He noted that the full text of the memorandum of understanding was contained in document UNEP/CHW.7/INF.7, a report on the establishment of the centre and its activities was contained in document UNEP/CHW.7/7 and the business plan for 2005–2006 was available on the Convention web site.

94. After reporting on the activities of the regional centre since the publication of the report, the representative of SPREP emphasized the importance of adopting a regional approach to the implementation of international conventions on hazardous waste and the need to strengthen the capacities of regional centres. Two representatives said that they welcomed the establishment of the Pacific regional centre and highlighted the importance of strengthening synergies between the different conventions dealing with hazardous waste.

95. The Conference took note of the memorandum of understanding and the report.

T. Basel Protocol on Liability and Compensation

96. Under agenda item 6, the Conference took up the issue of the Basel Protocol on Liability and Compensation at its 5th session, on the morning of Wednesday, 27 October. The Conference had before it reports of regional workshops aimed at promoting ratification of the Basel Protocol that had been held in Addis Ababa, Ethiopia, from 30 August to 2 September 2004, and Buenos Aires, Argentina, from 22

to 25 June 2004 (UNEP/CHW.7/INF/11 and Add.1). A report of a regional workshop held in San Salvador, El Salvador, from 28 June to 1 July 2004 was later circulated as document UNEP/CHW.7/INF/11/Add.2.

97. The Conference also had before it document UNEP/CHW.7/INF/12, which contained comments received from the United Kingdom on the draft revised instruction manual for the implementation of the Protocol that had been prepared by the Secretariat pursuant to decision VI/15 (UNEP/CHW/OEWG/3/12). A representative of the Secretariat invited participants to include in their discussion the comments on the manual that had been received from Canada and Germany and which were available on the Convention web site, noting that it had regrettably not been possible to consider all of those comments before the current meeting. She also drew attention to the draft decision on the Basel Protocol that was contained in document UNEP/CHW.7/2 and which, *inter alia*, would approve the draft revised instruction manual. Noting that the entry into force of the Protocol was dependent on its ratification by 20 Parties, she welcomed the fact that four countries had already taken the important step of ratifying it.

98. Noting the importance of the Basel Protocol, two representatives indicated that their Governments were taking steps to ratify it. A number of representatives thanked the Secretariat for having organized the regional workshops and expressed gratitude to the Government of Switzerland for its generous financial support in that regard. One expressed the hope that other Governments and international bodies would provide funding for additional workshops. Two representatives stressed the need to hold workshops for all regional groups.

99. Following a debate on the issue, the Conference agreed to transmit the draft manual to the Open-ended Working Group for further consideration and approval, and adopted a decision on the issue on the basis of the draft contained in document UNEP/CHW.7/2, as orally amended. The decision as adopted is set out as decision VII/28 in annex I to the present report.

U. Mechanism for promoting implementation and compliance

100. Under agenda item 6, the Conference took up the issue at its 5th session, on the morning of 27 October 2004. Introducing the issue, the President drew attention to a report for the period 2003–2004 on the work of the Committee for Administering the Mechanism for Promoting the Implementation and Compliance of the Basel Convention and a proposed work programme for the committee for the period 2005–2006 (UNEP/CHW.7/20), as well as a note by the Secretariat on the mechanism for promoting implementation of and compliance with the Convention (UNEP/CHW.7/21). He noted that, in addition to examining the report and work programme of the committee, the Conference had also to elect five new members to the Committee to replace members whose terms of office had expired. The Chairman and Rapporteur of the Committee then introduced document UNEP/CHW.7/20. The Conference also had before it a conference room paper submitted by Japan containing proposed amendments to the draft decision contained in document UNEP/CHW.7/20.

101. After debate, the Conference adopted a decision on the issue on the basis of the draft contained in document UNEP/CHW.7/20, as orally amended. As adopted, it is set out as decision VII/30 in annex I to the present report.

102. The Conference then adopted, on the basis of the draft contained in document UNEP/CHW.7/21, a decision by which it elected five new members of the committee. The decision as adopted is set out as decision VII/31 in annex I to the present report.

V. Checklist for the preparation of national legislation for the implementation of the Basel Convention

103. Under agenda item 6, the Conference took up the issue of guidelines for the preparation of national legislation for the implementation of the Basel Convention at its 5th session, on the morning of Wednesday, 27 October. It had before it the Secretariat's note on the issue (UNEP/CHW.7/23). Introducing the document, the representative of the Secretariat pointed out that, given the recent entry into force of other relevant international instruments, it might be an opportune time for the Conference to develop a checklist on national legislation in the light of the provisions of those instruments. She also noted that proposed amendments to the draft decision on the adoption of the guidelines contained in the secretariat's note had been submitted by one Party. This amendment proposed, among other things, the development of a checklist rather than guidelines.

104. The Conference adopted a decision on the issue on the basis of the draft contained in document UNEP/CHW.7/23, as orally amended. The decision as adopted is set out as decision VII/32 in annex I to the present report.

W. Status of implementation of decision VI/39 relating to the logo of the Basel Convention

105. Under agenda item 6, the Conference took up the issue of the Convention's logo at its 6th session, on the afternoon of 27 October. The acting President drew attention to the note by the Secretariat on the issue (UNEP/CHW.7/INF/14), noting that the Secretariat, acting through the World Intellectual Property Organization, had taken steps to protect the logo of the Basel Convention pursuant to article 6 ter of the Paris Convention for the Protection of Industrial Property.

106. The Conference took note of the acting President's report.

X. Institutional arrangements

107. Under agenda item 6, the Conference took up the issue of institutional arrangements at its 6th session, on the afternoon of 27 October. The acting President drew attention to a note by the Secretariat on the issue (UNEP/CHW.7/25).

108. The Conference adopted a decision on the issue on the basis of the draft contained in document UNEP/CHW.7/25. The decision as adopted is set out as decision VII/39 in annex I to the present report.

Y. National classification and control procedures for the import of wastes contained in Annex IX

109. The Conference took up the issue of national classification and control procedures for the import of Annex IX wastes under agenda item 6 at its 6th session, on the afternoon of 27 October. The acting President drew attention to a note by the secretariat on the issue (UNEP/CHW.7/16), a report and analysis of questionnaires completed by Parties and signatories on national classification and control procedures (UNEP/CHW.7/17) and a compilation of Party responses on the issue (UNEP/CHW.7/INF/9). The representative of the Secretariat reported that, as described in the note, the Secretariat had distributed a questionnaire to all Parties and had received 28 responses, but sought more replies and invited feedback from the Parties.

110. The Conference adopted a decision on the issue on the basis of the draft contained in document UNEP/CHW.7/16. The decision as adopted is set out as decision VII/20 in annex I to the present report.

Z. Harmonization of lists of wastes and related procedures

111. Under agenda item 6, the Conference took up the issue of harmonization of the lists of wastes at its 6th session, on the afternoon of 27 October. The acting President drew attention to a note by the Secretariat on the issue (UNEP/CHW.7/18). The Secretariat reported that so far it had received comments only from Canada, Colombia and Germany, as well as changes to the forms referred to in decision C(2001)107/FINAL of the Organization for Economic Cooperation and Development (OECD) suggested by Germany. One representative called for the forms to be circulated formally to Parties for their consideration. In addition, given the variations between different systems for tracking the movements of wastes, there was a need to standardize the forms with those other systems. In view of the possible difficulties faced by some Parties in completing the forms, there was a suggestion that guidance should also be prepared. The representative of Germany volunteered to prepare a draft decision for the consideration of the Conference, reflecting those concerns.

112. The Conference took up the issue again at its 11th session, on the morning of 30 November 2004, at which time it considered a draft decision contained in the relevant conference room paper. During the debate on the decision, which called for Parties and others to submit comments to the Secretariat on the forms for the notification and movement documents contained in document UNEP/CHW/TWG/19/INF/5 by 31 March 2005, one representative requested that the tentative dates for the meetings of the Open-ended Working Group prior to the next meeting of the Conference of the Parties be stated in the present report and that the final dates be posted on the Convention web site once they were known. The tentative dates for the next meeting of the Open-ended Working Group are 4–8 July 2005. Another representative expressed concern that the 31 March deadline might not allow sufficient time for the submission of comments before the next meeting of the Open-ended Working Group. The Secretariat assured the representative that it would issue late-filed comments in addendums to the relevant pre-session document so long as they were submitted within the minimum time required to prepare an addendum prior to the meeting.

113. Following the debate, the Conference adopted a decision on the issue on the basis of the draft contained in the relevant conference room paper, as orally amended. The decision as adopted is set out as decision VII/22 in annex I to the present report.

AA. Review of scientific information on the disposal of PVC wastes

114. Under agenda item 6, the Conference took up the issue of the review of scientific information on the disposal of PVC wastes at its 6th session, on the afternoon of 27 October 2004. The acting President drew attention to a note by the Secretariat on the issue (UNEP/CHW.7/10).

115. Following debate, the Conference adopted a decision on the issue on the basis of the draft contained in document UNEP/CHW.7/10, as orally amended. The decision as adopted is set out as decision VII/18 in annex I to the present report.

BB. Implementation of existing technical guidelines

116. The Conference took up the issue of the implementation of existing technical guidelines at its 6th session, on the afternoon of 27 October 2004. The acting President drew attention to a note by the Secretariat on the issue (UNEP/CHW.7/9). The Secretariat noted that the Open-ended Working Group had invited Parties and others to provide comments to the Secretariat on their experiences and their assessment of the implementation of the existing technical guidelines on the environmentally sound management of hazardous wastes and any identified difficulties. Some representatives asked for an extension of the deadline for receiving comments.

117. Following the debate, the Conference adopted a decision on the issue on the basis of the draft contained in document UNEP/CHW.7/9, as orally amended. As adopted, it is set out as decision VII/16 in annex I to the present report.

CC. Draft work programme of the Open-ended Working Group for 2005–2006

118. Under agenda item 6, the Conference took up the issue of the draft work programme of the Open-ended Working Group for 2005–2006 at its 6th session, on the afternoon of Wednesday, 27 October. It had before it the Secretariat's note on the issue (UNEP/CHW.7/13), containing a draft decision and the proposed work programme.

119. Following a discussion in which several representatives drew attention to issues that they said required further consideration, the Conference agreed that the draft work programme would be forwarded to the working group on financial matters for consideration of those comments and would be resubmitted to the participants for their consideration at a later session during the current meeting.

120. The Conference resumed its consideration of the issue at its 11th session, on the evening of Friday, 29 October, at which time it adopted a decision on the issue on the basis of the draft contained in the relevant conference room paper, as orally amended. The decision as adopted is set as decision VII/12 in annex I to the present report.

DD. Proposal to establish a Basel Convention regional centre in the Islamic Republic of Iran

121. The Conference took up the issue of the proposal to establish a Basel Convention regional centre in the Islamic Republic of Iran at its 6th session, on the afternoon of Wednesday, 27 October. It had before it a note by the Secretariat on the issue (UNEP/CHW.7/6), a proposed decision on the establishment of the centre, submitted by the Islamic Republic of Iran, and the relevant feasibility study, contained in document UNEP/CHW.7/INF/19.

122. Introducing the draft decision, the representative of the Islamic Republic of Iran reviewed the history of his country's application for the establishment of a regional centre and its accomplishment of all the tasks set before it to that end by the Conference of the Parties at its sixth meeting. He also outlined national measures taken by his country relevant to hazardous wastes and stressed its commitment to promoting the environmentally sound management of such wastes, both nationally and region-wide. He listed other environment-related regional centres which were already operating effectively in the Islamic Republic of Iran and which would promote synergies with the Basel Convention, should it decide to establish a regional centre there as well. He also noted that the Government of the Islamic Republic of Iran would bear all the operating costs of the centre for its first

three to five years and that its establishment would therefore entail no additional burden to the Secretariat and would promote the capacity of countries in the region to achieve the environmentally sound management of hazardous wastes. He urged the Conference to approve the application.

123. Representatives of two other countries hosting regional centres expressed their support for the application. One noted, however, that there should perhaps be a limit on the number of regional centres that were established, and considered that the current number of such centres was perhaps close to optimal.

124. The Conference adopted a decision on the issue on the basis of the draft submitted by the Islamic Republic of Iran, as orally amended. The decision as adopted is set out as decision VII/10 in annex I to the present report.

VII. Financial matters

125. The Conference took up the item at its 2nd session, on the afternoon of 25 October 2004. Introducing the item, the President drew attention to documents UNEP/CHW.7/26 and Add.1–4, and information documents UNEP/CHW.7/INF/5, INF/8 and INF/17. The Executive Secretary drew attention to two additional documents from the third session of the Open-ended Working Group, UNEP/CHW/OEWG/3/23 and UNEP/CHW/OEWG/3/INF/15, and suggested that Parties should turn their attention to the strategy for mobilizing resources for a cleaner future, the proposed programme budget and the proposed budgets for the Basel Convention Trust Fund and the Technical Cooperation Trust Fund as the four components comprising the financial matters under the Convention.

126. Following the introduction by the Executive Secretary and debate on the item, the Conference agreed to establish a working group, to be co-chaired by Canada and the United Republic of Tanzania, to further the work on financial matters and the resource mobilization strategy during the current meeting, taking into account the debate on the item.

127. The Conference resumed its consideration of the item at its 11th session, on the evening of Friday 29 October, at which time Mr. Jean-Louis Wallace (Canada), reported on progress made by the working group. He said that a positive exchange of views had taken place over the past few days within the working group, leading to the preparation of a draft decision on financial matters, which had been circulated to delegations in the form of a conference room paper.

128. He pointed out that, although it was based on views articulated within the group, the draft decision hinged on a very fragile understanding. Developing countries clearly wished donor countries to demonstrate greater commitment to funding the list of activities proposed in the Technical Cooperation Trust Fund budgets and to make their contributions non-earmarked.

129. He said that the working group had spent most of its time discussing the proposed budget of the Basel Convention Trust Fund. Concerns had been raised within the group about possible overspending in the previous biennium and about the need to reconsider proposed expenditures in view of the trust fund's diminished reserves. The group recommended that no new Secretariat positions be created, but that a line item in the amount of \$60,000 for the biennium 2005–2006 be added to the budget to pay for consultancies and that, if that amount proved insufficient, the Executive Secretary have the discretion to transfer up to 20 per cent of that amount from other budget lines. Likewise, any savings made over the course of the biennium could be used elsewhere.

130. He also said that, in order to reduce conference servicing costs, the working group had agreed that sessions of the Conference of the Parties and the Open-ended Working Group should not be allowed to continue after 6 p.m. In order to facilitate the participation of developing countries at the meetings of the Open-ended Working Group, it had agreed to fund the participation at those meetings of 20 such countries.

131. He observed that the result of the discussion on the budget was a modest increase in the budget for 2005 and 2006 of 2 and 2.8 per cent, respectively, and that, taking into account deductions from the reserve, Party contributions would increase in 2005 and 2006 by 9.5 per cent and 15.8 per cent, respectively. It had become clear during consultations that those increases were the maximum increases to which Parties would be willing to agree.

132. With regard to the Technical Cooperation Trust Fund, he said that the group had agreed to incorporate into its draft budget a proposal to fund the position of a senior programme officer to work on promoting partnerships and resource mobilization. Several delegations had suggested that Parties would require an additional two years to determine the merits of regularizing that position. The group was of the view that the matter should be revisited at the eighth meeting of the Conference of the

Parties. The proposed budget also included proposals submitted by regional groups for funding various projects. There had been some concern among members of the working group about the sizeable increase in the budget of the Technical Cooperation Trust Fund, from just over \$5 million for 2005 to just over \$17 million for 2006.

133. He explained that the Conference was being asked to take note of the budget, in order to provide an indication for donor countries, implementing agencies and financial institutions of the need to fund the various project proposals, and requested Parties to apprise their national aid agencies of the proposals.

134. He noted that, although most delegations had indicated their support for the general thrust of the draft decision, some had strongly objected to the reference in one of the paragraphs to the economic difficulties being experienced by certain Parties and to the attention drawn to the need for flexibility in the application of the United Nations scale of assessment. The language used in the draft decision mirrored language used at the thirteenth meeting of the Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora, held in Bangkok from 2 to 14 October 2004, and in a recent decision taken at the first session of the Conference of the Parties to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade. Some representatives had indicated that, in order to encourage partnerships, all Parties to the Basel Convention should be obliged to contribute.

135. Following Mr. Wallace's presentation and debate, the Conference adopted a decision on financial matters on the basis of the draft contained in the relevant conference room paper, as orally amended. The decision as adopted is set out as decision VII/41 in annex I to the present report.

136. The Conference agreed that the following statement, which was read out by the President, would be included in the report of the meeting:

“For the first time, all Parties to the Convention have accepted a commitment to contribute to the Basel Convention Trust Fund. One-hundred-sixteen Parties have been included in the scale of assessment for the Convention, of which over a hundred are developing countries.

As a result of the discussion on financial matters, it is understood that this commitment will be accompanied by an effort of the developed countries to increase substantially their contributions to the voluntary fund.

Developing countries expressed very clearly the view that the scale of assessments does not reflect the responsibilities of the Parties in the production and export of hazardous wastes.

It is understood that after the biennium 2005–2006, any change in the scale of assessment will only be made by consensus on the basis of proposals circulated at least ninety days before the meeting of the Conference of the Parties at which they are to be considered.”

137. The representative of Argentina then made a statement, asking that it be reflected in the report of the meeting. He expressed the view that there were serious problems with the budget. If read carefully, the annexes to UNEP/CHW.7/INF.17 and the annexes to the newly-adopted decision on financial matters indicated that, according to the assessed scale of contributions, some developing countries would pay more than some developed countries. He said that Argentina reserved the right to review the flexibility of the scale of assessment for 2005–2006 in order to request a decrease in its contribution, since he anticipated that his country would have serious difficulties paying the amount currently indicated.

138. The Conference then took up a draft decision on resource mobilization that the working group on financial matters had prepared. The issue sparked considerable debate. Many developing country Parties insisted that the working group's draft decision be considered together with a draft decision offered by the group of African countries that called for the President and the Secretariat to pursue negotiations aimed at procuring the Global Environment Facility (GEF) as the financial mechanism for the Convention. A number of other representatives expressed misgivings about the latter draft decision, with some expressing the view that the Secretariat did not have the mandate to negotiate with GEF. Following those and other comments, the Conference decided that informal consultations on the issue should continue while it proceeded to other matters.

139. Later during the same session, the conference adopted a draft decision on sustainable financing on the basis of the draft decision on a financial mechanism put forward by the group of African countries, as orally amended. The decision as adopted is set out as decision VII/40 in annex I to the present report.

140. Due to lack of time, the President proposed that the Open-ended Working Group be mandated to approve at its fourth session the draft decision on resource mobilization which is found in annex III to the present report. The Conference agreed to the President's proposal.

141. The Conference further agreed that the Secretariat, pending adoption of the draft decision by the Open-ended Working Group, would take action in line with paragraphs 9 and 10 of the draft decision. Those paragraphs state as follows:

“9. *Further requests* the Secretariat to give priority to assisting developing country Parties to develop proposals on the disposal of wastes consisting of, containing or contaminated with persistent organic pollutants, taking into account relevant technical guidelines;

10. *Also requests* the Secretariat to submit a paper on behalf of the Basel Convention to the first meeting of the Conference of the Parties to the Stockholm Convention on Persistent Organic Pollutants, on the potential for collaborative work between the conventions on resource mobilization for the disposal of such waste;”

VIII. Partnership for meeting the global waste challenge

142. Under the item, the Executive Secretary noted that partnership for meeting the global waste challenge was one of the agreed themes for the high-level segment of the current meeting. The Conference had before it a paper prepared by the President of the sixth meeting of the Conference of the Parties in consultation with the Expanded Bureau on that theme (UNEP/CHW.7/27) and a paper containing a proposed ministerial statement or possible elements of a decision (UNEP/CHW.7/27/Add.1), which would be further discussed during the high-level segment. The Conference established a small contact group, to be chaired by the representative of Brazil, to prepare for the interactive high-level segment.

143. On Thursday and Friday, 28 and 29 October, the Conference held a high-level segment. The segment was opened at 10.15 a.m. on Thursday, 28 October, by the President, who said that the Conference would engage in an interactive dialogue on the themes of the meeting, namely, partnership for meeting the global waste challenge and mobilization of resources for a cleaner future.

A. Organization of the segment

144. Following the opening ceremonies for the segment, the interactive dialogue was initiated by Mr. Ioan Jelev, President of the sixth meeting of the Conference of the Parties, who spoke on the first theme of the segment, partnership for meeting the global waste challenge, and introduced a paper he had prepared (UNEP/CHW.7/27) in which he proposed four policy directions for meeting the challenge. Presentations would be made by two experts, Mr. Peter Hinchcliffe, former chair of the Basel Convention Technical Working Group and former expert with the Government of the United Kingdom of Great Britain and Northern Ireland, and Mr. A. Raja Khosla (India), on the policy directions outlined in Mr. Jelev's paper, namely, an integrated waste management and regional approach. The presentations would then be followed by dialogue on the part of ministers and heads of delegation.

145. The second theme, mobilizing resources for a cleaner future, featured presentations by financial experts, Mr. Thomas Conway of the firm of Resource Futures International (Canada) and Mr. Steve Gorman of the World Bank. Ministers and heads of delegation again gave their views on that theme.

B. Opening

146. To open the segment, the Director-General of the United Nations Office at Geneva, Mr. Serguei Ordzhonikidze, delivered a message to the Conference from the Secretary-General of the United Nations, Mr. Kofi Annan. The text of the Secretary-General's statement is contained in annex IV to the present report.

147. Opening remarks were made by Mr. Irureta, the President of the meeting, Mr. Klaus Töpfer, Executive Director of UNEP, Ms. Kuwabara-Yamamoto, Executive Secretary of the Convention Secretariat, and Mr. Takashi Kosugi, Congressman of Japan.

148. The President delivered an opening statement in which he expressed the hope that his experience as Minister for the Environment had prepared him for chairing the current meeting, particularly as his country had made great strides since the holding of the first meeting of the Conference of the Parties in the city of Piriapolis in 1992.

149. He stressed the need for developing countries to strengthen the Basel Convention regional centres, which were key to implementing the Convention, as was the need for the environmental perspective to be taken into account in sustainable development, both of which were reflected in activities at the national, regional and international levels in Latin America and the Caribbean undertaken in connection with the Basel, Rotterdam and Stockholm Conventions. He underlined that synergies often came into play and that duplication of effort had to be avoided in order to optimize scarce resources; to that end, some of the Open-ended Working Group procedures might be revised, for example by using the Internet to set up virtual interactive groups on different subjects. Mobilization of resources for a cleaner future also needed new approaches, and efforts were under way to obtain funding from international funding agencies and others. The underlying causes of problems rather than their symptoms had to be addressed: the Basel Convention needed to be amended to oblige industrialized countries to fund the disposal of their own wastes; adequate arrangements were required to enable developing countries to deal with wastes; and the end-cost of product disposal had to be built into prices.

150. The role of the ministers and heads of delegation during the high-level segment was to discuss anew and give added impetus to the principles underlying the Basel Convention and to seek new means of obtaining resources, framing alliances with industry and others, evaluating the role of the Global Environment Fund and drawing up a global strategy based on international solidarity to meet the hazardous waste challenge facing the world.

151. Following the President's remarks, Mr. Töpfer delivered a statement to the Conference in which he reviewed the concrete and remarkable achievements of the Convention over the 15 years of its existence but noted that considerable challenges still remained and that the threats posed by wastes continued to grow. He stressed that the problem could only be solved through a stronger commitment to reducing the generation of wastes at source. Observing that the laws of economics would eventually decree that industrial systems be based on life-cycle management, he stressed that that process should be accelerated by enhancing industrial efficiency, harnessing the economic opportunities afforded by wastes and promoting cleaner production processes, which could lower manufacturing costs while reducing harm to human health and the environment. In particular, industries and policy-makers had to promote the design of products amenable to the so-called "three Rs": reduction, recycling and reuse of wastes. To those he added a fourth R: repair, which would both extend the life of products and help create jobs, especially in poorer countries.

152. The Basel Convention had an important role to play in that process by promoting the environmentally sound management of wastes, in particular through its regional centres; by harnessing synergies with other processes, such as the UNEP cleaner production centres; and through cooperation with the non-governmental and private sectors.

153. Recalling the important theme of the meeting, partnership for meeting the global waste challenge, he noted that the partnership approach served to meet three challenges: first, implementation, which could only be achieved through infrastructure building in developing countries; second, enhanced cooperation among Governments at the regional level, between North and South and within the South, and between intergovernmental, non-governmental and private sector bodies; and third, extending the regional dimension of the Convention's work. He drew attention, in particular, to the strategic approach to international chemicals management (SAICM) as a good illustration of the synergetic tactic. He also suggested that UNEP should develop a pilot waste management project in a small island State as one of its contributions to the forthcoming international meeting on small island developing States to be held in Mauritius in January 2005.

154. In conclusion, he commended the Convention's strategic work programme and assured the Conference of the readiness of UNEP to contribute to its successful implementation. It was his firm conviction that the fifteenth anniversary of the adoption of the Basel Convention represented an excellent basis for future partnership with all stakeholders in civil society.

155. The Executive Secretary stressed that the high-level segment had not been meant to set new mandates for the Convention, but, by drawing on 12 years of implementation of the Convention, to provide the opportunity to explore how best to promote the environmentally sound management of hazardous and other wastes. Crucial to that goal was the Convention's stronger integration with other efforts to achieve sustainable development and the harnessing of linkages with such related processes.

156. She commended the President of the Expanded Bureau of the sixth meeting of the Conference of the Parties and other Bureau members for their initiative in proposing the holding of a high-level interactive dialogue, expressed thanks to UNEP for its support for the Secretariat, which included, among other things, the publication of a special issue of its flagship publication, *Our Planet*, devoted to the topic of hazardous wastes and, in conclusion, assured the high-level representatives that the Secretariat would pay close heed to their guidance.

157. In his presentation, Mr. Kosugi observed that the Parties to the Convention should strive for a world without waste, with reduced waste generation, increased recycling and disposal of wastes only in an environmentally sound manner. He reviewed his country's own experience, which could be broken down into different periods: the period after World War II, when reconstruction began; the economic boom years between 1960 and 1980, which had accounted for an enormous increase in hazardous waste generation; the period from 1980 to 2000, when waste recycling had begun to be actively promoted; and the years since 2000, when measures had been instituted to promote recycling, backed up by legislation such as the basic law for the establishment of a sound society, as part of which sound materials recycling schemes were introduced in the spirit of the "three Rs".

158. The lesson to be drawn was that Parties to the Convention should examine causes rather than symptoms. Economic globalization meant that the safe disposal of hazardous and recyclable or reusable wastes was becoming an ever more acute problem. The poor were most at risk, particularly from toxins and carcinogens. Moreover, the rising amount of wastes resulting from burgeoning economic growth, particularly in the Asia-Pacific region, was resulting in increased transboundary movements, and called for an increase in measures to foster reuse and recycling. In developing countries, there was an urgent need to build up infrastructures, prevent pollution, and generally promote the recycling and environmentally sound management of hazardous wastes. In that connection, the e-waste initiative being promoted under the Convention was very timely.

159. Clear guidelines were needed to assist Governments to take measures under the Basel Convention, such as partnerships. Adequate resources for the Basel Convention Secretariat and the 13 regional centres were needed, as were adequate Government funding and measures to mobilize resources in favour of the "three Rs". Regarding the latter, the ministerial conference on the "three Rs" scheduled for 28–30 April 2005 would provide a major input into the effort.

160. Following the opening statements, the president proposed, and the Conference agreed, that Mr. Ntagazwa, the Minister for the Environment of the United Republic of Tanzania, be invited to chair the interactive dialogue.

161. In his opening remarks as chair of the high-level segment, Mr. Ntagazwa drew attention to what he deemed to be the pertinent points of the dialogue, namely, the need to protect human health and the environment from exposure to contaminants and from the mismanagement of hazardous wastes; the lack of capacity for the environmentally sound management of wastes with consequent risks for health, in particular for children and the poor; and the need for synergies with poverty reduction measures. He stressed that it was not sufficient for ministers merely to voice their concerns: the Conference needed to come up with a decisive plan of action. In particular, there was a need to develop networks and to build meaningful partnerships.

C. Expert presentations

162. Mr. Jelev made his presentation on the first theme of the segment, partnership for meeting the global waste challenge, and introduced a paper he had prepared on the subject. Despite progress to date, Parties to the Basel Convention still faced enormous challenges in reducing hazardous and other wastes, minimizing their generation, and managing residues in such a way as to protect human health and the environment while remaining economically profitable. The Basel Convention was also faced with a strong need to increase future funding to underpin implementation of the Basel Declaration on Environmentally Sound Management and of the Strategic Plan through stronger financial discipline by the Parties and by improving the capacity to attract funding. It was important to strengthen links with agreements like the Stockholm and Rotterdam Conventions and other programmes and conventions with a major impact on improving health conditions and diminishing poverty, as both were strongly linked to hazardous and other wastes.

163. The answers to such challenges lay in the two priority themes, partnership and the mobilization of resources. The document on partnership was a background paper containing ideas for the major directions and political objectives that would underpin relevant activities. Those major directions included: the life-cycle approach to hazardous chemicals and wastes; integrated waste management; minimization, reuse, recycling, recovery and disposal; and a regional approach for efforts by countries in the environmentally sound management of waste. The Basel Convention could also contribute to achieving the Rio and Johannesburg outcomes. The document highlighted both successes and problems, and could help stimulate discussion on partnerships and the way ahead for Basel Convention activities. As part of that effort, ten questions had been sent to Parties, with a view to obtaining inputs that might contribute to a possible ministerial declaration or decision, which would be of key political importance for realizing the goals of the Basel Convention.

164. Following Mr. Jelev's remarks, Mr. Hinchcliffe gave a slide presentation on hazardous waste minimization and life-cycle approaches to chemicals and waste management, which were two of the policy directions contained in the paper that had been submitted by Mr. Jelev. Emphasizing the link between the two subject areas, he said that although hazardous waste had its most severe impact on human health wherever poverty was at its worst, societies across the world were producing and using chemicals whose hazardous effects had not been properly evaluated. Despite the progress made by the Basel Convention, there had been very little progress in finding ways of decoupling waste production from economic growth, largely because of the changing nature of waste. As the key obstacle to progress appeared to be a lack of awareness of practical ways to minimize waste, technology transfer schemes and partnerships at all levels had an important role to play. After outlining a number of initiatives in that direction, including the establishment of the Basel Convention regional centres, he said that resource mobilization was key to further progress, as was the adoption of a holistic approach that addressed not only the technologies needed to minimize waste and toxic chemicals, but also issues of poverty alleviation and sustainable development. In conclusion, he stressed the need for a strong political impetus to secure progress in that field.

165. Mr. Khosla gave a presentation on integrated waste management and the importance of a regional approach, two of the policy directions set out in Mr. Jelev's paper (UNEP/CHW.7/27). He said that, given the complex nature of international negotiations, agreement was often reached on a very small part of a much broader issue, which allowed for progress in one specific area but meant that the larger issue was neglected. Such was the case with the global waste challenge: a decision had been made to address the issue of the transboundary movement of hazardous wastes, but the broader issue had been overlooked.

166. Expressing particular concern at the escalating problem of electronic waste and recognizing that it would be impossible to change current global consumption patterns completely, he said that the challenge lay in finding alternative production processes and focusing on preventive, rather than remedial, measures. It would be impossible to continue to manage waste using the current approach; a whole new methodology was needed. While efforts to establish new mechanisms for progress in that direction would have to be taken primarily at the local and national levels, such efforts required the support of institutions such as the Basel Convention. The scope of the challenge ahead was so vast that it would require a great deal of financial support.

167. Mr. Conway gave a PowerPoint presentation on the resource mobilization strategy, mobilizing resources for a cleaner future, which was contained in document UNEP/CHW.7/26/Add.3. He said that the resource mobilization strategy responded to concerns raised by Parties that the funds currently available to implement the Strategic Plan fell far short of what was required. It also responded to the need to raise awareness of the Basel Convention in international and bilateral funding institutions and to

address the fact that Parties had not taken adequate steps to pursue funding. He said that the strategy would also help to address the perceived inadequate synergies with related institutions at the international and domestic levels.

168. After outlining the objectives of the strategy in some depth and the main messages it delivered, he said that the plan of action of the resource mobilization strategy included specific actions, inputs and outcomes that fell into three categories, namely, preparing developing countries and countries with economies in transition to request and receive assistance; preparing the ground within financial institutions for requests for assistance; and working more effectively with other multilateral environmental agreements and international institutions to advance coordinated approaches.

169. Following the presentation by Mr. Conway, Mr. Gorman spoke of the resource mobilization strategy. As to whether the resources available to the Secretariat were sufficient to implement the Convention, he said that the Conference should start by defining precisely what it wished to achieve. As to raising awareness of the Convention within financial institutions such as the World Bank, he said that a significant amount of information about the Basel Convention and other relevant conventions was clearly available; it would be useful, however, to look closely at how the policies adopted under those conventions could be integrated into bank financing. It was also important to consider that, as the programmes of the World Bank and aid agencies were focused primarily on poverty alleviation and were largely country driven; it would be up to the countries themselves, rather than the Secretariat, to indicate that the incorporation of the goals of the Basel Convention into those programmes was a priority.

170. After describing the types of assistance provided by the World Bank in areas relating to waste management, he underscored that, in order to leverage funding for the implementation of the Basel Convention, it was essential to consider how the Convention fit into existing financial trends. It was also important to limit any overlap of efforts and ensure that the waste management experts involved in workshops had the opportunity to work on the ground in their own countries. Underscoring the usefulness of the proposed strategic approach to international chemicals management and the importance of adopting a synergetic approach, he drew attention to a GEF project that had been co-financed by the World Bank for reducing and eliminating persistent organic pollutants.

D. High-level dialogue

171. The observations by ministers and heads of delegation during their dialogue on the two themes of the segment are presented in the following paragraphs.

172. Several representatives acknowledged the progress made in sustainable management of wastes through implementation of the Basel Convention. While several representatives noted that waste was a global issue, one felt that problems were localized and should be addressed as such, suggesting even that the theme of the segment should be partnerships for meeting local and global challenges. The importance of partnerships was unanimously recognized and welcomed. Several representatives stressed the need to encourage partnerships between all stakeholders and one added that they should be balanced and transparent and should reflect priorities of developing countries. There was agreement on the need for partnerships at the national and regional level, for North-South and South-South partnerships and also for public-private partnerships. One representative reminded the Conference to remember the role of women in such partnerships, while another suggested that partnerships should be built with parliamentarians. One representative also suggested that partnerships should be built up to address elements of the Johannesburg Plan of Implementation. Another representative also suggested partnerships between local and national Governments, while another felt that partnership programmes should be formulated in such a manner that they could also be used by small and medium-sized enterprises. One representative highlighted the need for partnerships between industry and other stakeholders, in which all parties would stand to benefit.

173. Several representatives commended the mobile phone partnership initiative by Switzerland as a first step and good example of a global approach to partnership programmes. Several others drew attention to the hazardous waste problems of scrap ships, and one proposed that a partnership programme be developed for ship dismantling.

174. A number of representatives emphasized the importance of focusing on waste minimization, which should be an underlying strategy for the environmentally sound and sustainable management of wastes. Many representatives supported the “three Rs” notion of reduction, recovery and recycling of wastes. One suggested a move from remedial to preventive measures to endorse the three R’s notion, and two introduced the idea of repair to supplement the three Rs.

175. With regard to technology transfer, several representatives argued in favour of cleaner production and the incorporation of new design and production methods to minimize waste. Waste treatment, one said, should be undertaken at the source, while another added that the use of hazardous materials or substances at the production stage should be reduced. Another representative said that private enterprise should be encouraged and given incentives to handle production and waste in an environmentally sound manner. Another representative said that the goal of zero emission for industries was admirable but difficult to apply for developing countries, owing to their lack of capacity. Several representatives promoted life-cycle assessment and management of wastes. One representative said there was a need for access to technology that was available and efficient. One representative said that technology transfer should also be extended to small scale enterprises and another added that it should be transparent, flexible and strategically chosen.

176. Several representatives commended the establishment of the Basel Convention regional centres and noted their usefulness. Some representatives noted the importance of the centres for strengthening capacities to manage hazardous wastes. One noted that implementation of the programmes of action of centres through the creation of a special trust fund would be useful. A few stressed the need for cooperation between national and regional centres and among the centres themselves. One representative, noting that enhanced regional cooperation could lead to the increased movement of chemicals within such regions, pointed out that such movement was acceptable if properly regulated by such instruments as the Rotterdam Convention. Several representatives voiced their thanks to donor countries which had assisted in the establishment of the regional centres and supported the implementation of the Convention. One representative suggested that assistance should be given for the establishment of national centres to deal with specific local issues.

177. Other specific issues that were highlighted as needing attention included good housekeeping in hospitals, in particular taking into account populations living near medical waste sources; biomedical waste; battery waste; domestic waste treatment; waste electrical and electronic equipment; used oils; excessive packaging; disused vehicles; and old clothing. Others stressed the need to find solutions to obsolete stocks of pesticides in developing countries, the destruction of which was not possible owing to lack of the necessary equipment and infrastructure and to the problem of illegal traffic. One representative stressed the need to find alternative solutions to waste management that complemented existing commitments. Attention was drawn to the importance of information sharing in that regard. One representative maintained that insufficient importance was given to the problem of electronic waste in the proposed programme of work. Electronic wastes should be differentiated from electronic items that could be reused, and efforts should be made to improve the design of such products to ensure that reuse was always an option. One representative reviewed regional legislation on that issue in his region, which covered such issues as the liability of producers, the requirement to phase out the use of hazardous materials in such products and recycling obligations.

178. Several representatives urged the Conference to consider the establishment of a financial mechanism. They noted the importance of resource mobilization and identification and resources that were predictable and sustainable. One representative suggested that resources should be identified at the international and regional level. Another suggested that priority be given to identifying technical and financial assistance to carry out regional projects. One representative, agreeing on the need to increase the Convention’s budget to enable it to operate effectively, stressed that such increase should not entail an additional burden for developing countries. The African group proposed a decision on the establishment of a financial mechanism for the implementation of the Basel Convention. One representative stated the view that GEF was best suited to perform that function.

179. Several representatives, noting the paucity of institutional and legal frameworks to manage wastes safely, stressed the need for capacity-building. One representative promoted training programmes for capacity-building. Another called for support in training enforcement personnel at entry points in the proper implementation of the relevant legislation. One representative underscored the importance of following up workshops and seminars with field visits and practical efforts on the ground. Some representatives noted that developing countries had difficulties in identifying wastes to be listed in their national inventories. A number of countries urged cooperation among developing countries, as well as between developing countries and countries with economies in transition, on the one hand, and developed countries, on the other, on the basis of their common but differentiated responsibilities,

particularly in developing countries. Representatives of two small island developing States noted the particular problems faced by such countries in dealing with hazardous wastes, owing to their fragile ecosystems, lack of waste disposal facilities and poorly developed infrastructure, and drew attention to the forthcoming international meeting on small island developing States, to be held in Mauritius in January 2005.

180. In the view of one representative, special attention should be given to countries in post-conflict situations. Another representative stressed that capacity-building efforts would be seriously jeopardized unless serious efforts were made to address other problems faced by those countries, mentioning in particular the problem of HIV/AIDS in sub-Saharan Africa. One representative called for specific measures to tackle the problem of waste management in countries with economies in transition and offered to share his country's extensive experience in that area with other countries.

181. Several representatives stressed the need for synergies between the Basel, Rotterdam and Stockholm Conventions, which would promote and improve the impact of the three conventions. Another representative, however, urged caution in that regard, noting that the individual requirements of each convention should not be diffused or diluted by efforts to promote synergies between them. Joint work, one representative said, could assist in efforts to attain the 2020 target of the safe management of chemicals set in the Johannesburg Plan of Implementation. Many representatives also stressed the need for synergies between all stakeholders through support from the international community. Synergies, a few representatives said, could broaden activities to address issues arising from all three conventions. Several representatives reminded the Conference of the importance of the proposed strategic approach to international chemicals management process to encourage synergies and coordination among conventions, while another said that support should be given to the mercury programme launched by UNEP Chemicals.

182. Several representatives spoke on the issue of linking waste management strategies with development policies. It was suggested that developed countries should try to assist developing countries to alleviate poverty and promote development in accordance with the requirements of Agenda 21. It was important to separate economic growth and waste so that the one did not necessarily lead to the other and to ensure that waste management programmes were in line with sustained economic growth. Waste management processes could address social ills such as poverty and diseases and improve the quality of life of people. Poorer populations, it was said, were most at risk from hazardous waste yet were at the forefront of reuse, recycling and reclamation and innovative ways of extending product life. Recycling programmes should also address social and economic barriers to marketing those products. One representative said that indigenous ways of life should be given due consideration and another reminded the Conference to afford attention to awareness-raising programmes. A few representatives requested that the Conference give due attention to the Ban Amendment.

183. It was suggested that private enterprise should become competitive while protecting the environment and should consider environmental management not as expenditure but as an investment. Countries should be encouraged to move away from economies built on the notion of disposable goods.

184. With regard to implementation, a few representatives said that decisions adopted by the Conference should be followed by effective actions. Implementation was key to the success of the Basel Convention and a prerequisite for sustainable development. In that context, two representatives stressed that implementation of the Convention should be based, in particular, on adherence to such tenets as the polluter pays principle, the life-cycle approach and the principle of proximity, namely, that wastes should be treated at or near their source. One representative emphasized that waste produced in resource-rich countries should essentially be the responsibility of those countries. Several representatives noted that countries should be aware of the financial burden to countries that received wastes; producers had a moral responsibility to use their profits to protect the populations of receiving countries. One representative said there should be stakeholder cooperation to reverse the current tendency of environmental degradation. Another encouraged States to consider innovative ideas on waste management, while a third stressed the need to close loopholes in the Convention. One representative noted that the Convention represented a valuable forum for the resolution of differences between producer and consumer countries.

185. Following the debate, Mr. Ntagazwa thanked all those who had participated in it for their valuable contributions, and expressed the hope that the discussions at the Conference would lead to the adoption of a meaningful budget for the implementation of the Basel Convention.

E. Adoption of ministerial statement and decision on waste minimization

186. The Conference took up the item again at its 11th and final session, at which time it adopted a ministerial statement on partnerships for meeting the global waste challenge, as orally amended. The ministerial statement as adopted is set out in annex V to the present report.

187. At the same session, the Conference also adopted under the agenda item a decision on hazardous waste minimization, on the basis of the draft contained in the relevant conference room paper, as orally amended. The decision as adopted is set out as decision VII/2 in annex I to the present report.

IX. Other matters

A. International meeting to review implementation of the Barbados Programme of Action

188. The representative of Mauritius informed the Conference of an international meeting being organized by the Commission on Sustainable Development to review the implementation of the Barbados Programme of Action for the Sustainable Development of Small Island Developing States, to be held in Mauritius from 10 to 14 January 2005. He noted the specific constraints facing small island developing States in the implementation of the Basel Convention, in particular their unique geographical characteristics, vulnerability, lack of adequate resources and expertise as well as high costs of transport and disposal of hazardous waste. He urged cooperation with the Basel Convention regional centres in development and implementation of specific actions targeted at small island developing States in support of the Basel Convention, the Strategic Plan and the Barbados Programme of Action.

189. The representative of Mauritius then introduced a draft decision calling for the Secretariat to cooperate with the United Nations Department of Economic and Social Affairs on activities relevant to small island developing States that would support the implementation of the Basel Declaration, the Strategic Plan and the follow-up to the Barbados Programme of Action. One representative stressed that such cooperation should not have any budgetary implications. With that understanding, the Conference adopted a decision on the issue on the basis of the draft contained in the relevant conference room paper. The decision as adopted is set out as decision VII/5 in annex I to the present report.

B. Nobel peace prize

190. During the high-level segment, Mr. Ntagazwa, in his capacity as Vice-President of the Conference, expressed his congratulations to Kenya on the award to Ms. Wangari Maathai, a Kenyan environmentalist, of the Nobel Peace Prize 2004 for her contribution to sustainable development, democracy and peace, thus underlining the important link across the world between conflict and environmental degradation and the vital role played by environmental efforts in the preservation of peace.

C. Offers to host the eighth meeting of the Conference of the Parties

191. During the high-level segment, the representatives of Kenya and Indonesia expressed their countries' interest in hosting the eighth meeting of the Conference of the Parties. Kenya reported that the African countries had agreed to put forward only one candidate, namely, Kenya.

192. At the eleventh session, on the evening of Friday, 29 October, Indonesia advised the Conference that it had agreed that only one candidate for hosting the eighth meeting of the Conference should be put forward. The Conference accordingly adopted a decision on the basis of the draft contained in document UNEP/CHW.7/32 by which it agreed that the eighth meeting of the Conference of the Parties would be held in Nairobi from 27 November to 1 December 2006. The decision as adopted is set out as decision VII/42 in annex I to the present report.

D. Annexes to the Basel Convention and related procedures: French language version of the lists of wastes

193. The representative of France introduced a proposed revised translation into French of the lists of wastes contained in Annexes and VIII and IX of the Basel Convention, as submitted by the French Ministry of Ecology and Sustainable Development. She acknowledged the collaboration on the part of OECD and the Government of Canada in the preparation of the translations.

194. The Conference adopted a decision on the issue on the basis of the draft contained in the relevant conference room paper. The decision as adopted is set out as decision VII/21 in annex I to the present report.

E. Ceremony for the signing of regional centre framework agreements

195. During the high-level segment, a ceremony was held during which the representatives of Egypt, Indonesia and Trinidad and Tobago signed framework agreements for the establishment of Basel Convention regional centres in their respective regions.

X. Adoption of the decisions and the report

196. The Conference of the Parties adopted decisions on a number of issues relevant to the items on the agenda of the meeting. The adoption of each such decision is described in the section of the present report in which the issue to which the decision relates is discussed. The decisions as adopted are set out in annex I to the present report.

197. At its 11th and final session, on the morning of 30 November, the Conference adopted the present report on the basis of the draft contained in documents UNEP/CHW.7/L.1 and Add.1, as orally amended, on the understanding that the finalization of the report would be entrusted to the Secretariat, working in consultation with the President and the Rapporteur.

XI. Closure of the meeting

198. Following the customary exchange of courtesies, the President declared the meeting closed at 2.30 a.m. on Saturday, 30 October, 2004.

Annex I

Decisions adopted by the Conference of the Parties at its seventh meeting

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VII/1. Strategic Plan for the Implementation of the Basel Convention

The Conference of the Parties,

Recalling its decisions VI/1 and VI/2, by which it adopted the Strategic Plan for the Implementation of the Basel Convention to 2010 as the major instrument to give further effect to the Basel Declaration on Environmentally Sound Management,

Noting with appreciation the report by the Secretariat on progress in the implementation of the Strategic Plan,

Welcoming the progress made in the implementation of the project proposals approved under the Strategic Plan,

Recalling that the Open-ended Working Group should review and amend as necessary the action table in the light of experience gained in the implementation of the activities in 2003-2004,

Noting that a sustainable and adequate financial basis is essential for the implementation of priority actions of the strategic plan up to 2010,

1. *Agrees* that Parties and the Basel Convention regional centres, in partnership with other stakeholders, should continue to promote the implementation of the Strategic Plan;
2. *Requests* the Secretariat to assist the Parties and the Basel Convention regional centres in the preparation of projects for submission to donors in 2005–2006;
3. *Requests* the Secretariat to continue to assist the Parties, the Basel Convention regional centres and other stakeholders in the development and implementation of priority activities contained in the Strategic Plan under the guidance of the Open-ended Working Group and in the preparation of partnership programmes to support the Strategic Plan;
4. *Strongly encourages* recipient Parties to include priorities for projects that implement the Strategic Plan in their national development assistance programmes and to request other Parties, the Basel Convention regional centres and the Secretariat to help them approach donors for assistance in mobilizing available financial resources to that end;
5. *Requests* the Secretariat to report to the Conference of the Parties at its eighth meeting on progress in the implementation of the Strategic Plan and, as appropriate, to the Open-ended Working Group on experience gained and obstacles encountered.

VII/2. Hazardous waste minimization

The Conference of the Parties,

Reaffirming the fundamental aims of the Basel Convention, namely, the reduction of transboundary movements of hazardous and other wastes subject to the Basel Convention, the prevention and minimization of their generation, the environmentally sound management of such wastes and the active promotion of the transfer and use of cleaner technologies,

Recalling the ministerial declaration made at the fifth meeting of the Conference of the Parties, which it states that, despite the concerted efforts made during the first decade of the Basel Convention, hazardous waste generation has continued to grow at the global level and transboundary movements of hazardous wastes and other wastes are still of concern,

Referring to the Strategic Plan for the Implementation of the Basel Convention, which aims to assist Parties to the Basel Convention to achieve the environmentally sound management of hazardous wastes and other wastes, emphasizing the minimization of such wastes,

Recognizing the challenges that Parties face in developing and implementing hazardous waste minimization strategies, including the development of technologies, materials and products to that end,

Noting with appreciation the work done so far by the Basel Convention regional centres and recognizing their essential role in building partnerships to meet the global waste challenge,

Calls upon all Parties and other States to increase their efforts to take steps to reduce the generation and transboundary movements of hazardous wastes and other wastes subject to the Basel Convention;

Encourages Parties to select at least one hazardous waste stream of particular concern to it or, in collaboration with the Basel Convention regional centres, to prepare regional pilot projects, for special efforts to be made regarding hazardous waste generation prevention or reduction and, in the interest of sharing experiences for the benefit of all Parties, to submit information to the Secretariat on measures taken, results and experiences gained;

Also encourages Parties to support partnerships between governmental authorities, industry, environmental groups and other stakeholders;

Requests the Secretariat to make the information mentioned above available on the Convention web site (www.basel.int) and, on request, by mail to Parties for their consideration and to prepare for possible further considerations at the eighth meeting of the Conference of the Parties.

VII/3. Basel Convention Partnership Programme

The Conference of the Parties,

Recalling its decision VI/32,

1. *Adopts* the work plan of the Basel Convention Partnership Programme for 2005–2006 as contained in the annex to the present decision;

2. *Requests* the Secretariat, subject to the availability of resources, to continue implementation of the work plan in cooperation with all relevant and interested partners and to keep the Open-ended Working Group and the Conference of the Parties regularly informed on progress as well as initiatives to include new projects in order to adopt a decision on this matter;

3. *Encourages* Parties and signatories to follow the lead of Australia, Japan and Switzerland in providing funding to the Basel Convention Partnership Programme and becoming actively involved in the programme;

4. *Encourages* broader civil society, including environmental non-governmental organizations and the private sector, in particular industry, to provide technical and financial support for the Basel Convention Partnership Programme and to become involved in specific activities at the regional, national and international levels.

Annex to decision VII/3 on the Basel Convention Partnership Programme

Basel Convention Partnership Programme: 2005–2006 work plan

A. Background

1. At its sixth meeting, in Geneva in December 2002, the Conference of the Parties to the Basel Convention agreed in decisions VI/32 to develop a work programme for cooperation with industry and business sectors and environmental non-governmental organizations with the aim of developing strategic partnerships relevant to the implementation of the Convention, its amendments and protocols.

2. This document outlines a work programme that responds to that decision. In particular, it:

(a) Takes into account activities for 2003–2004 under the Strategic Plan for the Implementation of the Basel Convention;

(b) Takes into account the Basel Convention regional centres as potential delivery mechanisms for the promotion and nurturing of public-private partnerships that take into consideration regional or subregional specificities;

(c) Supports the aims of the Basel Declaration on Environmentally Sound Management;

(d) Recognizes and complements existing initiatives and projects.

B. Introduction

3. The worldwide environmentally sound management of hazardous and other wastes as called for in the Basel Declaration on Environmentally Sound Management requires action at all levels of society. Training, information, communication, methodological tools, capacity-building with financial support, transfer of know-how, knowledge and sound and proven cleaner technologies and processes are driving factors to assist in the concrete implementation of the Basel Declaration.

4. The effective involvement and coordination by all concerned stakeholders is seen as essential for achieving the aims of the Basel Declaration.

5. The challenge is to find and develop practical, sustainable solutions to de-link economic development and the waste it traditionally generates. Alternative development models do exist. Industry and Governments have begun to embrace cleaner production technologies and extend producer liability, which provides built-in incentives for greener, less wasteful production and products.

6. Growth in partnerships is hindered by a broad perception that the Basel Convention deals only with hazardous wastes and/or only with the transboundary movement of such wastes. This is particularly acute when the Convention seeks to engage industry in the end-of-life implications of products which during their life are not hazardous or wastes. Conversely, considerable potential exists for a broader interpretation of the role of the Basel Convention as an instrument contributing to effective life cycle management of materials and products – e.g., in areas of waste minimization, design for environment, cleaner production and changing consumption patterns, as well as management of wastes, including municipal wastes.

C. General principles

1. Rights and responsibilities

7. Partnerships cannot create or abrogate rights or responsibilities of Parties under the Basel Convention.

8. The Partnership Programme is under the authority of the Conference of the Parties to the Basel Convention.

2. United Nations guidelines for cooperation with the business community

9. Irrespective of any situation-specific nature, the Partnership Programme supports and is consistent with the United Nations Environment Programme and the United Nations Global Compact. United Nations guidelines¹ stipulate that cooperative arrangements should be guided by the following general principles:

(a) Advance United Nations goals: The objectives need to be articulated clearly and must advance United Nations goals as laid out in the Charter of the United Nations;

(b) Clear delineation of responsibilities and roles: The arrangements must be based on a clear understanding of respective roles and expectations, with accountability and a clear division of responsibilities;

(c) Maintain integrity and independence: Arrangements should not diminish the United Nations' integrity, independence and impartiality;

(d) No unfair advantage: Every member of the business community should have the opportunity to propose cooperative arrangements, within the parameters of these guidelines. Cooperation should not imply endorsement or preference of a particular business entity or its products or services;

(e) Transparency: Cooperation with the business sector must be transparent. Information on the nature and scope of cooperative arrangements should be available within the organization and to the public at large.

¹ *Building Partnerships: Cooperation between the United Nations and the Business Community* (United Nations publication, Sales No. E.02.I.12).

D. Programme objectives

10. Given the size and nature of the waste challenge and the call on both expertise and resources (internal and external), the Basel Convention Partnership Programme is focused on the following objectives:

- (a) To initiate and oversee practical project activity in priority areas, with particular regard to the generation, movement and environmentally sound management of waste and active promotion of the transfer and use of cleaner technologies;
- (b) To broaden the resource and support base of the Convention, particularly through:
 - (i) Improved local and regional participation;
 - (ii) Improved analysis, understanding and political support for the broadest programme perspective of the role of the Basel Convention in the waste challenge;
 - (iii) Enhanced access to external expertise and resources (for example, from industry, environmental non-governmental organizations, philanthropic organizations and other United Nations agencies and regional and national authorities);
- (c) To improve stakeholder participation and communication.

E. Priority areas

11. The Strategic Plan for the Implementation of the Basel Convention to 2010, adopted at the sixth meeting of the Conference of the Parties (December 2002), identifies priority waste streams as including electronic wastes, used lead-acid batteries, used oils, obsolete stocks of pesticides, PCBs, dioxins/furans, by-products from the dismantling of ships, biomedical wastes and healthcare wastes. At the first meeting of the Open-ended Working Group (April–May 2003) it was agreed to fund a new partnership with municipalities for the environmentally sound management of hazardous waste in urban areas². These priorities are, or may be, included in the Basel Convention Partnership Programme.

12. Other partnership opportunities will arise periodically that require a timely response from the Secretariat of the Basel Convention. The Secretariat will assess and initiate responses to these opportunities as required.

13. Programme activities encompassed within the above programme objectives are represented in table 1.

F. Stakeholders

14. The engagement of civil society is a priority for the Partnership Programme. Partnership initiatives should fully involve environmental and other non-governmental organizations, along with industry leaders.

15. The Basel Convention Partnership Programme recognizes old friends but acknowledges that sustained interest in the waste challenge and the broadening programme perspective needed of the Convention will require additional partners.

16. There is also a need to look beyond the traditional environmental non-governmental organizations if the Basel Convention is to succeed in developing strategic alliances with organizations with potentially related agendas (e.g., non-governmental organizations involved in poverty reduction, economic or social development, health promotion or occupational health and safety issues) and foundations involved in broader philanthropic work.

17. Basel Convention regional centres have a key role to play both in promoting the Convention amongst potential partners and in providing capacity-building, training and other services at the regional level.

18. Stakeholders will vary according to the particular project or initiative. The criteria for selection of partners will include:

² Decision OEWG-I/1.

- (a) Demonstrated commitment to the principles, practice and promulgation of the concept of environmentally sound management;
- (b) Demonstrated commitment to engage in meaningful dialogue and cooperation with other partners, the Parties and signatories to the Basel Convention, Basel Convention regional centres, and the Secretariat of the Basel Convention;
- (c) Demonstrated expertise or standing in the subject of the particular project or initiative;
- (d) Demonstrated networking capacity.
19. The involvement of partners will at all times be voluntary.

Table 1

**Basel Convention Partnership Programme
Work plan 2005–2006**

	Objective	Programme elements	Key activities	Performance indicators
1	Initiate and oversee practical project activity in priority areas, with particular regard to the generation, movement and environmentally sound management of waste and active promotion of the transfer and use of cleaner technologies	Cooperative project development and implementation Awareness-raising Stakeholder participation	1. Mobile Phone Partnership Initiative 2. Personal computers 3. Obsolete stocks of pesticides in Africa 4. Used oils partnership for Africa 5. Biological and medical waste 6. Used lead-acid batteries 7. Partnerships with municipalities for the environmentally sound management of hazardous wastes in urban areas	Effective partnerships established with relevant stakeholders to support environmentally sound management activities for priority waste streams identified in the strategic plan; Ratification and implementation of the Basel Convention, its protocols, amendments and decisions
2	Broaden the resource and support base of the Convention	Awareness raising Fundraising Stakeholder participation	Develop and implement a fundraising programme Identify and contact likely donors	Improved local and regional participation Improved analysis, understanding and political support Enhanced access to external expertise and resources (for example, from industry, environmental non-governmental organizations, philanthropic organizations and other United Nations agencies and regional and national authorities)
3	Improve stakeholder participation and communication	Stakeholder participation Communications and public affairs activities	Establishment of a Basel Convention partners forum (Aimed at formalizing regular discussion between non-governmental organization partners of the Convention)	Improved support from key industry and non-governmental organization leaders for the aims of the Basel Convention Improved support for Basel Convention regional centres Improved Convention newsletter

VII/4. Mobile Phone Partnership Initiative

The Conference of the Parties,

Having regard to the Basel Declaration on Environmentally Sound Management,

Having considered decision VII/3 on partnership with environmental non-governmental organizations and with the industry and business sectors,

Recalling its decision VI/31 on sustainable partnership for the environmentally sound management of end-of-life mobile phones,

Taking note with appreciation of the initiative taken by the President of the Expanded Bureau of the fifth meeting of the Conference of the Parties to establish a sustainable partnership on the environmentally sound management of end-of-life mobile phones,

Welcoming the work of the mobile phone working group and various project groups that deal with refurbishment, collection, transboundary movements, recycling and awareness raising,

Welcoming also the financial contributions made by Australia, Japan, Switzerland and Shields Environmental Group (UK) and in-kind contributions made by Parties, signatories, mobile phone manufacturers and other stakeholders,

Noting the great efforts that have been made by Parties, industry and other stakeholders to prepare various project reports and an overall guidance document on environmentally sound management of end-of-life mobile phones,

Noting also that additional effort and greater participation from all Parties and stakeholders is necessary to finalize those reports,

Acknowledging that the partnership with environmental non-governmental organizations and with the industry and business sectors has the capacity to contribute to the environmentally sound management of end-of-life products and should assist in the promotion of sustainable consumption and production patterns as endorsed in the Plan of Implementation of the World Summit on Sustainable Development,

1. *Encourages* all Basel Convention regional centres actively to participate in the Mobile Phone Partnership Initiative;
2. *Invites* comments on the overall guidance document and individual project group reports, to be submitted to the Secretariat of the Basel Convention by 31 December 2004;
3. *Requests* the mobile phone working group to finalize the overall guidance document and individual project reports and then to submit the overall guidance document to the Open-ended Working Group at its fourth session for consideration and provisional adoption as a Basel Convention guidance document;
4. *Also requests* the Open-ended Working Group to submit the overall guidance document to the Conference of the Parties at its eighth meeting for final adoption;
5. *Decides* that the mobile phone working group continue to work under the guidance of the Open-ended Working Group;
6. *Invites further* the Parties and signatories to implement the final overall guidance document and individual project group reports when establishing collection, refurbishment or recycling projects;
7. *Requests* the Secretariat:
 - (a) To continue to coordinate the activities of the mobile phone working group and various project groups;
 - (b) To initiate, at an appropriate time, one or several pilot projects on collection schemes in areas and regions in need of such projects, using funds provided by mobile phone working group participants, and, where appropriate, to involve the Basel Convention regional centres;
 - (c) To report regularly to the Open-ended Working Group and finally to the Conference of the Parties at its eighth meeting on the progress made;

8. *Also invites* Parties, signatories, members of industry and international governmental and non-governmental organizations to make financial and in-kind contributions for the implementation of pilot projects on collection and treatment schemes and for the publication of final reports of the mobile phone working group, including the overall guidance document.

VII/5. Small island developing States

The Conference of the Parties,

Recognizing that the Strategic Plan for the Implementation of the Basel Convention adopted in decision VI/1 represents a useful way forward for implementing the objectives of the Basel Declaration on Environmentally Sound Management, in particular in small island developing States,

Welcoming the holding of the international meeting to review the implementation of the Barbados Programme of Action for the Sustainable Development of Small Island Developing States, to be held in Mauritius from 10 to 14 January 2005,

Taking note of the specific constraints facing small island developing States in the implementation of the Basel Convention, in particular their unique geographical characteristics, vulnerability, lack of adequate resources and expertise, as well as high costs of transport and disposal operations for hazardous waste,

Conscious of the need to take urgent action in small island developing States to meet the obligations of the Basel Convention as well as other related regional agreements,

1. *Draws the attention* of the participants at the international meeting to review the implementation of the Barbados Programme of Action to the need to give due consideration to the issue of the environmentally sound management of hazardous waste in view of its importance in the implementation of and follow-up to the Barbados Programme of Action;

2. *Requests* the Secretariat, as part of its work on capacity-building, to cooperate closely with the United Nations Department of Economic and Social Affairs as organizer of the above-mentioned international meeting as well as other relevant stakeholders, including Basel Convention regional centres, in the development and implementation of specific activities targeted for small island developing States that support the implementation of the Basel Declaration on Environmentally Sound Management, the Strategic Plan for the Implementation of the Basel Convention, and the follow-up to the Barbados Programme of Action. These activities shall take into consideration, wherever suitable, such principles as the promotion of integrated waste management and regional approaches for the environmentally sound management of hazardous waste.

VII/6. Implementation of the Environment Initiative of the New Partnership for Africa's Development as it relates to hazardous wastes and other wastes

The Conference of the Parties,

Recalling the mandate of the Conference of the Parties in its decision VI/10 that the Secretariat of the Basel Convention and the Basel Convention regional centres in Africa cooperate with the secretariats of the African Ministerial Conference on the Environment and the New Partnership for Africa's Development,

Also recalling the endorsement by the African Ministerial Conference on the Environment of the utilization of the Basel Convention regional centres in Africa for the implementation of the Environment Initiative of the New Partnership for Africa's Development with respect to the management of hazardous wastes and other wastes,

Noting the recommendation of the New Partnership for Africa's Development to enhance capacity-building of regional centres in Africa, including the Basel Convention regional centres in Egypt, Nigeria, Senegal and South Africa, for the management of hazardous wastes in the context of building synergies with the Stockholm Convention on Persistent Organic Pollutants and the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade,

Noting also that several programme activities proposed by a wide range of stakeholders that support the further implementation in Africa of the Basel Declaration on Environmentally Sound Management and the Strategic Plan for the Implementation of the Basel Convention have been selected as priority activities in the context of the Action Plan of the Environment Initiative of the New Partnership for Africa's Development,

1. *Requests* the Secretariat to continue its collaboration with the secretariat of the African Ministerial Conference on the Environment and the secretariat of the New Partnership for Africa's Development with a view to strengthening the development of concerted approaches for the further implementation in Africa of the Basel Declaration on Environmentally Sound Management and the Strategic Plan for the implementation of the Basel Convention;

2. *Encourages* Parties and other stakeholders to contribute financially and with other means to activities concerning the implementation of the Basel Convention in Africa as prioritized in the Action Plan of the Environment Initiative of the New Partnership for Africa's Development;

3. *Also requests* the Secretariat to continue its efforts to obtain financial support for the projects submitted to and endorsed by the African Ministerial Conference on the Environment;

4. *Further requests* the Secretariat to report on progress in the implementation of decision VI/10 to the Conference of the Parties at its eighth meeting.

VII/7. Follow-up to the World Summit on Sustainable Development

The Conference of the Parties,

Recalling its decision VI/40 on follow-up to the World Summit on Sustainable Development,

Welcoming the concrete activities carried out by the Secretariat, Basel Convention regional centres, Parties and others to contribute to the Plan of Implementation adopted at the World Summit³,

Welcoming the support expressed at the World Summit for the concept of type II partnerships between Governments, business and civil society,

Mindful of the call in the Plan of Implementation for coherence and cooperation between international regimes for wastes, hazardous wastes and chemicals,

1. *Requests* the Secretariat to pursue cooperation with interested stakeholders in support of the Plan of Implementation and type II partnerships between Governments, business and civil society;

2. *Also requests* the Secretariat to report to the Conference of the Parties at its eighth meeting on progress and deliverables.

VII/8. Capacity-building for implementation of the Strategic Plan

The Conference of the Parties,

Recalling its decision VI/11 on capacity-building and its decision V/5 on the regional centres for training and technology transfer,

Welcoming the specific activities carried out by the Basel Convention regional centres and Parties in close cooperation with the Secretariat of the Basel Convention to implement the Strategic Plan,

Emphasizing the importance of aiming at the mutually supportive implementation of related multilateral environmental agreements in the context of the life-cycle approach to the environmentally sound management of chemicals and wastes,

Recognizing in particular the need for close collaboration with the 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 with regard to the life-cycle management of persistent organic and inorganic pollutants and hazardous chemicals,

³ *Report of the World Summit on Sustainable Development*, Johannesburg, South Africa, 26 August-4 September 2002 (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

Bearing in mind that capacity-building, information exchange, awareness-raising and education in all sectors of society are of paramount importance for achieving the aims of the Basel Convention,

1. *Requests* the Secretariat to continue to cooperate with the Basel Convention regional centres, Parties, non-Parties, international organizations, the industry sector and non-governmental organizations, to enhance the worldwide knowledge and the practical implementation of the Basel Convention through awareness-raising and capacity-building activities, subject to the availability of funds;
2. *Further requests* the Secretariat to continue to collaborate closely with UNEP Chemicals, the secretariats of the Rotterdam Convention and the Stockholm Convention and other partners, including the Basel Convention regional centres, with regard to the organization of joint training and capacity-building activities, in particular laying emphasis on socio-economic and financial production models;
3. *Encourages* the Secretariat, in cooperation with the Basel Convention regional centres, to continue to develop capacity-building activities such as workshops, project activities, training materials and decision-supportive tools, in close consultation and partnership with key partners from Governments, specialized agencies, the industry sector, universities and non-governmental organizations, with a view to addressing the needs of Parties for the environmentally sound management of priority waste streams, including, but not limited to, electronic wastes, lead and used lead-acid batteries, used oils, obsolete stocks of pesticides, PCBs, dioxins and furans, asbestos and materials resulting from the dismantling of ships, biomedical and healthcare wastes;
4. *Invites* Parties, non-Parties, intergovernmental organizations, members of the industry and business sectors and non-governmental organizations to provide financial resources or assistance in-kind to assist countries in need of such assistance in the development of specific capacity-building projects, training, information and awareness-raising activities;
5. *Also invites* Parties to inform the Secretariat of their capacity-building activities and awareness and educational materials related to the implementation of the Basel Convention, to enable it to disseminate such information to other Parties and stakeholders;
6. *Also requests* the Secretariat to submit a report on the activities related to capacity-building to the Conference of the Parties at its eighth meeting.

VII/9. Basel Convention regional centres: report on progress

The Conference of the Parties,

Recalling its decision VI/3 on the establishment and functioning of the Basel Convention regional centres for training and technology transfer,

Recalling also its decision VI/4 on the business plans of the Basel Convention regional centres,

Recalling in addition its decisions VI/1 and VI/2 and Open-ended Working Group decisions OEWG-I/1 and OEWG-II/1,

Welcoming progress in the conclusion of the framework agreements, implementation of the business plans and projects proposals under the Strategic Plan,

Recognizing the need for funding for the programme of activities of the Basel Convention regional centres,

1. *Requests* the Basel Convention regional centres and the Secretariat to ensure effective implementation of the project proposals contained in their business plans;
2. *Requests* the Secretariat and the Basel Convention regional centres and the Parties served by them to develop a strategy for funding the centres and the activities that they undertake;
3. *Urges* all Parties and signatories in a position to do so, as well as international organizations, including development banks, non-governmental organizations, the private sector and individuals, to make financial contributions to the Technical Cooperation Trust Fund of the Basel Convention or contributions directly to the Basel Convention regional centres on a bilateral basis, to allow the centres to continue to implement the Strategic Plan;

4. *Urges* host Governments of the Basel Convention regional centres and countries served by the centres, as appropriate, to provide adequate support to enable each centre to carry out its core operational activities;

5. *Requests* the Basel Convention regional centres to revise and update the new business plans for 2005–2006;

6. *Invites* the Basel Convention regional centres to continue to carry out capacity-building activities, technology transfer and projects on a regional basis for all the countries which they serve;

7. *Invites* the regional centres to carry out an evaluation of the technology transferred so far and requests the Secretariat to report on such evaluation to the Conference of the Parties at its ninth meeting.

VII/10. Establishment of a Basel Convention regional centre in Tehran

The Conference of the Parties,

Taking note of the feasibility study submitted by the Islamic Republic of Iran for the establishment of the Basel Convention Regional Centre for Training and Technology Transfer in Tehran,

Recognizing the intention of Afghanistan, Bangladesh, the Islamic Republic of Iran, Maldives, Nepal and Pakistan to establish a national institution with a regional role to act as a Basel Convention regional centre through the conclusion of a framework agreement with the Secretariat of the Basel Convention on behalf of the Parties to the Convention in conformity with the decisions of the Conference of the Parties,

Welcoming the offer of the Government of the Islamic Republic of Iran to meet the operational costs of the centre for the first three to five years at a rate of US\$ 100,000 per annum,

1. *Requests* the Secretariat to conclude a framework agreement with the Islamic Republic of Iran to establish the Basel Convention Regional Centre for Training and Technology Transfer in Tehran;

2. *Calls upon* the Basel Convention regional centre in Tehran that will be so created, having regard to the need to avoid duplication of activities and to maximize the benefits derived from financial and other resources, to:

(a) Establish a regular line of communication with the neighbouring Basel Convention regional centres;

(b) Utilize the expertise of the neighbouring Basel Convention regional centres to conduct seminars, workshops, training courses and exhibitions, when needed;

(c) Consult the neighbouring Basel Convention regional centres with a view to ensuring cooperation and coordination, when needed.

VII/11. Designation of competent authorities and focal points

The Conference of the Parties,

Recalling decision VI/38 on competent authorities and focal points,

1. *Calls on Parties* to designate competent authorities and focal points for the Convention, if they have not done so, and to submit such designations to the Secretariat, including any modifications or additions as they occur;

2. *Urges* Parties to provide up-to-date contact details of competent authorities and focal points to the Secretariat to ensure the efficient transmission of information;

3. *Requests* Parties that have designated multiple competent authorities to make sufficient information available regarding the functions and geographical area covered by each of its competent authorities;

4. *Invites* non-Parties and interested organizations to identify contact persons for the Convention, if they have not done so, and to submit the relevant information to the Secretariat, including any modifications or additions as they occur;

5. *Requests* the Secretariat to continue to maintain the list of competent authorities and focal points and to post it on the Convention web site to facilitate communications concerning matters related to the Convention.

VII/12. Work programme of the Open-ended Working Group for 2005–2006

The Conference of the Parties,

Recalling its decision VI/37 on the work programme of the Open-ended Working Group,

Aware that the funds available to carry out the activities listed in the work programme are limited,

Mindful of the need to develop a work programme that facilitates synergies among programme activities,

Mindful also of the development of the Basel Convention Partnership Programme,

1. *Adopts* the work programme of the Open-ended Working Group for 2005–2006 contained in the annex to the present decision;

2. *Requests* the Open-ended Working Group at its fourth session to arrange its activities.

Annex

Work programme of the Open-ended Working Group (2005–2006)

I. Technical and capacity-building

Tasks	Activities	Decisions of the Conference of the Parties at its seventh meeting
A. Strategic Plan for the Implementation of the Basel Convention (to 2010)	Provide guidance on the implementation of the Strategic Plan.	VII/1, VII/2, VII/5, VII/6, VII/7, VII/8
B. Work on harmonization and coordination	<p>1. Revise the forms for notification and movement documents and related instructions.</p> <p>2. Keep under review work under way in intergovernmental forums, including the working relationship with the United Nations Sub-Committee of Experts on the Globally Harmonized System.</p>	VII/38
C. Harmonized Commodity Description and Coding System (HS) of the World Customs Organization (WCO)	Continue work on the separate identification in the WCO/HS of certain wastes contained in Annexes VIII and IX.	VII/38
D. Classification and hazard characterization of wastes	<p>1. Classification:</p> <p>a) Review or adjustment of wastes contained in Annexes VIII and IX;</p> <p>b) Consider issues related to the questionnaire concerning the national classification and control procedures for the import of wastes in Annex IX.</p> <p>2. Complete the work on hazard characteristic H10.</p> <p>3. Elaborate on the guidance document on hazard characteristic H11 to include work on an appropriate de minimis level.</p> <p>4. Review scientific information on the disposal of PVC wastes.</p>	<p>VII/19</p> <p>VII/20</p> <p>VII/17</p> <p>VII/17</p> <p>VII/18</p>
E. Technical guidelines on environmentally sound management	<p>1. Complete technical guidelines on:</p> <p>a) The environmentally sound management of wastes consisting of, containing or contaminated with persistent organic pollutants, namely, PCDDs and PCDFs, DDT, HCB, and the eight pesticides aldrin, chlordane, dieldrin, endrin, HCB, heptachlor, mirex and toxaphene;</p> <p>b) Waste resulting from surface treatment of metals and plastics (Y17).</p>	VII/13, VII/16

Tasks	Activities	Decisions of the Conference of the Parties at its seventh meeting
	<p>2. Work further on the methodology for further definition of low persistent organic pollutant content and levels of destruction and irreversible transformation.</p> <p>3. Review and update the general technical guidelines and the guidelines on PCBs, PCTs and PBBs, if appropriate.</p> <p>4. Undertake a review of selected technical guidelines as appropriate and initiate updating as necessary, e.g., incineration on land (D10), specially engineered landfill (D5), and wastes collected from households (Y46).</p> <p>5. Assess the implementation of existing technical guidelines with a view to identifying practical difficulties and obstacles to their effective implementation.</p>	
F. Basel Convention regional centres	<p>1. Provide guidance, as necessary, to the centres.</p> <p>2. Provide guidance on the implementation of the Strategic Plan, including the business plans of the centres, at the regional level.</p>	VII/9, VII/1
G. Dismantling of ships	Consider practical and technical aspects of the work undertaken by the International Maritime Organization (IMO) and the joint IMO/International Labour Organization/Basel Convention working group, and information on the abandonment of ships.	<i>[To be completed]</i>
H. Reporting	Consider reporting schemes and reports submitted by Parties, as necessary, in accordance with the requirements of article 13.	<i>[To be completed]</i>

II. Legal and compliance

Tasks	Activities	Decisions of the Conference of the Parties at its seventh meeting
A. Prevention and monitoring of illegal traffic	<p>1. Review and, if necessary, update the guidance elements based on practical experience.</p> <p>2. Finalize the training manual for the enforcement of laws implementing the Basel Convention.</p> <p>3. Provide guidance to the Secretariat as necessary.</p>	<i>[To be completed]</i>
B. Protocol on Liability and Compensation	<p>1. Analyse, based on a compilation of submissions from Parties, the obstacles and difficulties faced by the Parties in their process of ratification of or accession to the Protocol.</p> <p>2. Finalize the instruction manual.</p>	<i>[To be completed]</i>

Tasks	Activities	Decisions of the Conference of the Parties at its seventh meeting
	3. Undertake any other necessary tasks related to the preparation of the first meeting of the Parties to the Protocol.	
C. Emergency mechanism and enlargement of the scope of the Technical Cooperation Trust Fund	Provide guidance as necessary on improvement of operations.	<i>[To be completed]</i>
D. Dismantling of ships	Complete the analysis of the legal aspects of the dismantling of ships.	<i>[To be completed]</i>

III. Partnership and resource mobilization

Tasks	Activities	Decisions of the Conference of the Parties at its seventh meeting
A. Partnership Programme	1. Provide guidance to the Secretariat on the implementation of the Partnership Programme. 2. Consider outcomes of the programme.	<i>[To be completed]</i>
B. Resource mobilization	Provide guidance to the Secretariat regarding resource mobilization.	

IV. General

Tasks	Activities	Decisions of the Conference of the Parties at its seventh meeting
A. Budget and financial matters	Consider matters related to the budget of the Convention and related financial matters.	<i>[To be completed]</i>
D. Draft decisions for the Conference of the Parties	Prepare draft decisions for the consideration of the Conference of the Parties.	<i>[To be completed]</i>

VII/13. Technical guidelines on persistent organic pollutants

The Conference of the Parties,

Recalling its decision VI/23 on the preparation of technical guidelines on the environmentally sound management of persistent organic pollutants as wastes,

Noting that at its first meeting, the Conference of the Parties to the Stockholm Convention on Persistent Organic Pollutants, in accordance with article 6, paragraph 2, of the Stockholm Convention, will consider the general technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with persistent organic pollutants and the technical guidelines

on polychlorinated biphenyls (PCBs), polychlorinated terphenyls (PCTs) and polybrominated biphenyls (PBBs) prepared under the auspices of the Basel Convention,

Noting also with appreciation the roles played by Parties and others, especially Canada as lead country, in the preparation of the general guidelines and the guidelines on PCBs, PCTs and PBBs,

1. *Adopts* the general technical guidelines for the environmentally sound management of wastes consisting of, containing or contaminated with persistent organic pollutants⁴ and the technical guidelines for environmentally sound management of wastes consisting of, containing or contaminated with polychlorinated biphenyls, polychlorinated terphenyls or polybrominated biphenyls⁵;
2. *Requests* the Secretariat to disseminate the technical guidelines to Parties, signatories, intergovernmental organizations, environmental non-governmental organizations and industry in all official languages of the United Nations;
3. *Further requests* the Secretariat to submit the technical guidelines to the Conference of the Parties of the Stockholm Convention at its first meeting through the Secretariat of the Stockholm Convention;
4. *Invites* Parties and others to use these technical guidelines, taking into account article 6.2 of the Stockholm Convention, and, two months before the eighth meeting of the Conference of the Parties, to submit a report to the Conference of the Parties, through the Secretariat, on their experience in the application of the guidelines, including any difficulties or obstacles encountered, with a view to improving them as necessary;
5. *Requests* the Open-ended Working Group to review and, if appropriate, prepare proposals for updating these technical guidelines for consideration at the latest by the ninth meeting of the Conference of the Parties;
6. *Invites* the bodies of the Stockholm Convention to consider best available technologies and best environmental practices with respect to unintentionally produced persistent organic pollutants, including the more recent technologies for destruction and irreversible transformation listed in the general technical guidelines;
7. *Encourages* Parties and others to make more data publicly available on, among other things, the persistent organic pollutant content in wastes and destruction efficiencies;
8. *Agrees* that the methodology for further definition of low persistent organic pollutant content, levels of destruction and irreversible transformation should be included in the work programme of the Open-ended Working Group for 2005–2006, as indicated in the annex to the present decision;
9. *Requests* the Open-ended Working Group to finalize the other technical guidelines regarding persistent organic pollutants with a view to their adoption at the eighth meeting of the Conference of the Parties;
10. *Invites* Parties and others to submit comments to the Secretariat and Australia by 31 January 2005 on the draft technical guidelines regarding polychlorinated dibenzo-p-dioxins (PCDDs) and polychlorinated dibenzofurans (PCDFs);
11. *Requests* Australia, in consultation with the small intersessional working group established by the Open-ended Working Group at its first session, to prepare revised draft technical guidelines regarding PCDDs and PCDFs for consideration by the Open-ended Working Group at its fourth session;
12. *Requests* Mexico, in consultation with the small intersessional working group, to prepare a first draft of technical guidelines on dichloro-diphenyl-trichloroethane (DDT) for consideration by the Open-ended Working Group at its fourth session;
13. *Invites* Parties and others to submit comments to the Secretariat by 31 January 2005 on draft technical guidelines on the group of eight pesticides comprising aldrin, chlordane, dieldrin, endrin, hexachlorobenzene (HCB), heptachlor, mirex and toxaphene;
14. *Requests* the Secretariat, in consultation with the small intersessional working group, to prepare revised draft technical guidelines regarding the eight pesticides and a first draft of the technical

⁴ UNEP/CHW.7/8/Add.1/Rev.1.

⁵ UNEP/CHW.7/8/Add.2/Rev.1.

guidelines regarding HCB for consideration by the Open-ended Working Group at its fourth session and requests the Open-ended Working Group to consider if these two guidelines should be merged;

15. *Invites* the Food and Agriculture Organization of the United Nations to contribute to the preparation of the technical guidelines regarding the eight pesticides;

16. *Decides* to extend the mandate of the small intersessional working group to continue to monitor and assist in the preparation, review and updating, as appropriate, of technical guidelines regarding persistent organic pollutants, working in particular by electronic means.

VII/14. Technical guidelines on the environmentally sound recycling/reclamation of metals and metal compounds (R4)

The Conference of the Parties,

Recalling decision VI/37 on the work programme of the Open-ended Working Group and in particular that part of it that refers to the preparation of technical guidelines,

Noting with appreciation the roles played by Parties and others, especially Australia as lead country, in the preparation of the technical guidelines on the recycling/reclamation of metals and metal compounds (R4),

1. *Adopts* the technical guidelines on the environmentally sound recycling/reclamation of metals and metal compounds (R4) contained in the note by the Secretariat⁶;

2. *Requests* the Secretariat to disseminate the technical guidelines to Parties, signatories, intergovernmental organizations, environmental non-governmental organizations and industry, in all official languages of the United Nations;

3. *Invites* Parties and others to use the technical guidelines and to report at least two months before the eighth meeting of the Conference of the Parties, through the Secretariat, on their experiences, including any difficulties in their application of the technical guidelines, with a view to improving the technical guidelines as necessary.

VII/15. Preparation of technical guidelines on the environmentally sound management of wastes resulting from surface treatment of metals and plastics (Y17)

The Conference of the Parties,

Recalling decision VI/37 on the work programme of the Open-ended Working Group and in particular that part of it that refers to the preparation of technical guidelines,

Noting with appreciation the roles played by Parties and others, especially Australia as lead country, in the preparation of draft technical guidelines on the environmentally sound management of wastes resulting from surface treatment of metals and plastics (Y17),

1. *Requests* the Open-ended Working Group to finalize the technical guidelines on the environmentally sound management of wastes resulting from surface treatment of metals and plastics (Y17) with a view to their interim adoption by the Open-ended Working Group at its fourth session;

2. *Invites* Parties and other stakeholders to provide comments to Australia by 31 January 2005 and to transmit copies of those comments to the Secretariat.

VII/16. Implementation of existing technical guidelines

The Conference of the Parties,

Recalling its decision VI/37 on the work programme of the Open-ended Working Group and in particular its decisions VI/20, VI/21, VI/22 and VI/24 on the preparation of technical guidelines,

⁶ UNEP/CHW.7/8/Add.3.

Also recalling Open-ended Working Group decision OEWG-I/13, paragraph 7, inviting comments from Parties and others on the implementation of technical guidelines,

1. *Invites* Parties and others to provide comments to the Secretariat by 31 July 2005 on their experiences with and assessment of the implementation of the existing technical guidelines on the environmentally sound management of hazardous wastes and any identified practical difficulties and obstacles in their implementation;

2. *Requests* the Secretariat to prepare a compilation of the comments received for consideration by the Conference of the Parties at its eighth meeting.

VII/17. Work on hazard characteristics

The Conference of the Parties,

Recalling decisions VI/25 on hazard characteristic H6.2 (infectious substances), VI/37 on the work programme of the Open-ended Working Group and VI/29 on international cooperation,

Mindful of the usefulness of developing practical guidance on the hazard characteristics listed in Annex III to the Basel Convention to assist Parties and others to implement the Convention effectively,

Grateful to those Parties and signatories that have taken the lead in the preparation of guidance papers on hazard characteristics,

Noting the importance of the work of the United Nations Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling of Chemicals in regard to the work being pursued on the hazard characteristics of Annex III to the Basel Convention,

Considering the interest of the United Nations Subcommittee of Experts on the Globally Harmonized System of Classification and Labelling of Chemicals in working with the appropriate body of the Basel Convention on hazard characteristics,

Bearing in mind the need to cooperate closely with the Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling of Chemicals,

I.

Finalization of the work on hazard characteristics

1. *Decides* to adopt, on an interim basis, the three guidance papers on the hazard characteristics H6.2 (infectious substances), H11 (toxic (delayed or chronic)) and H13 (capable after disposal of yielding another hazardous material);⁷

2. *Invites* Parties and others to use these guidance papers and to submit to the Conference of the Parties, through the Secretariat, reports on their experience and any difficulties or obstacles encountered in their application, with a view to improving them as necessary;

3. *Requests* the Parties to contribute actively to the guidance paper on hazard characteristic H10 (liberation of toxic gases in contact with air or water) prepared by the Secretariat with a view to finalizing it in time for a session of the Open-ended Working Group in 2005;

4. *Invites* Parties and others to submit comments to the Secretariat on the H10 guidance paper;

II.

Cooperation

5. *Requests* the Open-ended Working Group to establish a working relationship with the United Nations Subcommittee of Experts on the Globally Harmonized System of Classification and Labelling of Chemicals with a view to exploring possible links between the work undertaken in the context of the Basel Convention on hazard characteristics and the elements of the Globally Harmonized

⁷

UNEP/CHW.7/11/Add.1/Rev.1, Add.2/Rev.1 and Add.3/Rev.1, respectively.

System of Classification and Labelling of Chemicals, including consideration of their respective work programmes to identify inconsistencies, discrepancies or shortcomings with a view to proposing appropriate action;

6. *Also requests* the Secretariat to present to the Open-ended Working Group at its first session in 2005 possible options for establishing a working relationship with the United Nations Subcommittee of Experts on the Globally Harmonized System of Classification and Labelling of Chemicals.

VII/18. Review of scientific information on the disposal of PVC wastes

The Conference of the Parties,

Recalling its decision VI/37 on the work programme of the Open-ended Working Group and decision OEWG-I/11 of the Open-ended Working Group,

Noting that work on Annex III hazard characteristics, in particular H10, H11 and H13, is progressing and represents a necessary step in considering the classification of, for example, PVC wastes,

Aware of the work relating to PVC in other international forums,

1. *Agrees* to include the review of scientific information on the disposal of PVC wastes and PVC-coated cables in the work programme of the Open-ended Working Group for the period 2005–2006;

2. *Requests* the Secretariat to prepare, based on comments received and made during the seventh meeting of the Conference of the Parties, a paper analysing the current situation for consideration by the Open-ended Working Group;

3. *Also requests* the Open-ended Working Group to submit to the Conference of the Parties at its eighth meeting recommendations for a decision on the status of PVC wastes in the context of the Basel Convention.

VII/19. Review or adjustment of the lists of wastes contained in Annexes VIII and IX to the Basel Convention

The Conference of the Parties,

Considering the application submitted by India concerning the placement of new entries regarding plastic-coated cable scrap on Annex VIII and Annex IX,

Aware of the health concerns that are also dealt with under the Stockholm Convention on persistent organic pollutants regarding the burning of some types of plastic coated cables and the potential for the formation of unintentionally produced persistent organic pollutants (POPs),

Noting that work on Annex III hazard characteristics, in particular H10, H11 and H13, is progressing and represents a step in considering the classification of, for example, PVC wastes,

1. *Adopts* the following amendments to Annexes VIII and IX of the Basel Convention:

(a) *New entry A 1190 in Annex VIII:*

Waste metal cables coated or insulated with plastics containing or contaminated with coal tar, PCB⁸, lead, cadmium, other organohalogen compounds or other Annex I constituents to an extent that they exhibit Annex III characteristics;

⁸

PCBs are at a concentration level of 50 mg/kg or more.

(b) *New entry B 1115 in Annex IX:*

Waste metal cables coated or insulated with plastics, not included in list A A1190, excluding those destined for Annex IVA operations or any other disposal operations involving, at any stage, uncontrolled thermal processes, such as open-burning.

VII/20. National classification and control procedures for the import of wastes contained in Annex IX

The Conference of the Parties,

Welcoming the replies provided by Parties to the questionnaire circulated by the Secretariat concerning national classification and control procedures for the import of wastes contained in Annex IX,

Noting the information submitted on a voluntary basis by Parties in their replies to the questionnaire,

Considering the analysis prepared by the Secretariat on discrepancies between the information submitted in the questionnaire and the information provided to the European Community,

Aware that some Parties may still experience difficulties either with the interpretation of Annex IX or in controlling wastes listed in Annex IX,

1. *Invites* Parties having difficulties with national classification or control procedures relating to the import of wastes contained in Annex IX to report this information to the Secretariat;
2. *Requests* the Secretariat to collect the information submitted by Parties on a regular basis with a view to updating the Open-ended Working Group on the current situation;
3. *Also requests* the Open-ended Working Group to prepare specific proposals on ways of moving forward on this issue, for submission to the Conference of the Parties at its eighth meeting.

VII/21. Lists of wastes

The Conference of the Parties,

Noting with appreciation the work undertaken by the Government of France to improve the translation into French of the lists of wastes contained in Annexes VIII and IX,

Considering the need to revise the existing official translation into French of Annexes VIII and IX and the entry B1030 in the English language version,

1. *Decides* to incorporate the modifications, as contained in the annex to the present decision, proposed by the Government of France into the French language version of the lists of wastes contained in Annexes VIII and IX;
2. *Decides* to delete the word “débris” in the entries: A1010, B1060, B1070, B1090, B1100, B1110, B1150 and B2020 in the French language version as contained in the annex to the present decision;
3. *Decides* to change the proposed French language version of entry B3010 from (Déchets de résine ou produits polymérisés de condensation comme :”) to (Déchets durcis de résine ou produits polymérisés de condensation comme :”);
4. *Decides* to change the proposed French language version of entry A3190 to : “Résidus contenant du goudron (à l’exception des eurobés bitumineux) provenant du raffinage, de la distillation ou de toute opération de pyrolyse de matière organique”;
5. *Decides* to change the existing entry B1030 in the English language version to: “residues containing refractory metals”;
6. *Requests* the Secretariat to communicate the changes referred to above to the Depository.

Annex

Annexe VIII

LISTE A

Les déchets qui figurent dans la présente annexe sont considérés comme des déchets dangereux en vertu de l'alinéa a) du paragraphe 1 de l'article premier de la Convention et l'inscription d'un déchet dans la présente annexe n'exclut pas le recours à l'annexe III pour démontrer que ledit déchet n'est pas dangereux.

A1 Déchets de métaux et déchets contenant des métaux

A1010 Déchets de métaux et déchets constitués d'alliages d'un ou plusieurs des métaux suivants:

- antimoine
- arsenic
- béryllium
- cadmium
- plomb
- mercure
- sélénium
- tellure
- thallium

à l'exception des déchets de ce type inscrits sur la liste B.

A1020 Déchets, à l'exception des déchets de métaux sous forme massive, ayant comme constituants ou contaminants l'une des substances suivantes :

- antimoine; composés de l'antimoine
- béryllium; composés du béryllium
- cadmium; composés du cadmium
- plomb; composés du plomb
- sélénium; composés du sélénium
- tellure; composés du tellure

A1030 Déchets ayant comme constituants ou contaminants l'une des substances suivantes :

- arsenic; composés de l'arsenic
- mercure; composés du mercure
- thallium; composés du thallium

A1040 Déchets ayant comme constituants des :

- métaux carbonyles
- composés du chrome hexavalent

A1050 Boues de galvanisation

A1060 Liqueurs provenant du décapage des métaux

A1070 Résidus de lixiviation du traitement du zinc, poussières et boues telles que jarosite, hématite, etc.

A1080 Déchets de zinc ne figurant pas sur la liste B et contenant du plomb et du cadmium à des concentrations suffisantes pour qu'ils présentent l'une des caractéristiques de l'annexe III

A1090 Cendres provenant de l'incinération de fils de cuivre isolés

- A1100 Poussières et résidus provenant des systèmes d'épuration des fumées des fonderies de cuivre
- A1110 Solutions électrolytiques usagées provenant des opérations d'affinage électrolytique et d'électrorécupération du cuivre
- A1120 Boues résiduaire, à l'exception des boues anodiques, provenant des systèmes de purification de l'électrolyte dans les opérations d'affinage électrolytique et d'électrorécupération du cuivre
- A1130 Solutions de gravure à l'eau-forte usagées contenant du cuivre dissout
- A1140 Catalyseurs usagés à base de chlorure de cuivre et de cyanure de cuivre
- A1150 Cendres de métaux précieux provenant de l'incinération de circuits imprimés ne figurant pas sur la liste B⁹
- A1160 Déchets d'accumulateurs électriques au plomb et à l'acide, entiers ou concassés
- A1170 Accumulateurs et piles usagés non triés, à l'exception des mélanges ne contenant que des accumulateurs et des piles figurant sur la liste B. Accumulateurs et piles usagés ne figurant pas sur la liste B et possédant des constituants mentionnés à l'annexe I dans une proportion telle qu'ils les rendent dangereux
- A1180 Assemblages électriques et électroniques usagés ou sous forme de débris¹⁰ contenant des éléments tels que les accumulateurs et autres piles figurant sur la liste A, les interrupteurs à mercure, les verres provenant de tubes cathodiques, les autres verres activés, les condensateurs au PCB, ou contaminés par des constituants figurant à l'annexe I (comme le cadmium, le mercure, le plomb, les diphényles polychlorés, etc.) dans une proportion telle qu'ils présentent l'une des caractéristiques de danger énumérées à l'annexe III (voir rubrique correspondante de la liste B-B1110)¹¹

A2 Déchets ayant principalement des constituants inorganiques et pouvant contenir des métaux et des matières organiques

- A2010 Débris de verre provenant de tubes cathodiques et d'autres verres activés
- A2020 Déchets de composés inorganiques du fluor sous forme de liquides ou de boues à l'exception de ceux figurant sur la liste B
- A2030 Catalyseurs usagés, à l'exception de ceux figurant sur la liste B
- A2040 Déchets de gypse provenant de procédés chimiques industriels, possédant des constituants figurant à l'annexe I dans une proportion telle qu'ils présentent l'une des caractéristiques de danger énumérées à l'annexe III (voir rubrique correspondante de la liste B-B2080)
- A2050 Déchets d'amiante (poussières et fibres)
- A2060 Cendres volantes de centrales électriques alimentées au charbon, contenant des substances citées à l'annexe I à des concentrations suffisantes pour qu'elles présentent l'une des caractéristiques de danger énumérées à l'annexe III (voir rubrique correspondante de la liste B-B2050)

A3 Déchets ayant principalement des constituants organiques, et pouvant contenir des métaux et des matières inorganiques

- A3010 Résidus de la production ou du traitement du coke et du bitume de pétrole
- A3020 Déchets d'huiles minérales impropres à l'usage initialement prévu

⁹ Il est à noter que la rubrique correspondante de la liste B (B1160) ne prévoit pas d'exceptions.

¹⁰ Cette rubrique n'inclut pas les déchets agglomérés provenant de la production d'énergie électrique.

¹¹ concentration de PCB égale ou supérieure à 50mg/kg.

- A3030 Déchets contenant, ou contaminés par des boues de composés antidétonants au plomb
- A3040 Déchets de fluides thermiques (transfert calorifique)
- A3050 Déchets issus de la production, de la préparation et de l'utilisation de résines, de latex, de plastifiants de colles ou adhésifs, à l'exception de ceux figurant sur la liste B (voir rubrique correspondante de la liste B-B4020)
- A3060 Déchets de nitrocellulose
- A3070 Déchets de phénols et composés phénolés, y compris les chlorophénols, sous forme de liquides ou de boues
- A3080 Déchets d'éthers, à l'exception de ceux figurant sur la liste B
- A3090 Déchets de sciures, cendres, boues et farines de cuir contenant des composés de chrome hexavalent ou des biocides (voir rubrique correspondante de la liste B- B3100)
- A3100 Rognures et autres déchets de cuirs ou de peaux préparés ou de cuir reconstitué, non utilisables pour la fabrication d'ouvrages en cuir, contenant des composés de chrome hexavalent ou des biocides (voir rubrique correspondante de la liste B- B3090)
- A3110 Déchets de pelletterie contenant des composés de chrome hexavalent, des biocides ou des substances infectieuses (voir rubrique correspondante de la liste B-B3110)
- A3120 Fraction légère des résidus de broyage
- A3130 Déchets de composés organiques du phosphore
- A3140 Déchets de solvants organiques non-halogénés, autres que ceux spécifiés sur la liste B
- A3150 Déchets de solvants organiques halogénés
- A3160 Résidus de distillation non-aqueux, halogénés ou non-halogénés, issus d'opérations de récupération de solvants organiques
- A3170 Déchets provenant de la production d'hydrocarbures aliphatiques halogénés (tels que les chlorométhanes, le dichloréthane, le chlorure de vinyle, le chlorure de vinylidène, le chlorure d'allyle et l'épichlorhydrine)
- A3180 Déchets, substances équipements et appareils contenant, ou contaminés par des diphényles polychlorés (PCB), des terphényles polychlorés (PCT), des naphthalènes polychlorés (PCN) ou des diphényles polybromés (PBB), ou tout composé polybromé analogue ayant une concentration égale ou supérieure à 50 mg/kg¹²
- A3190 Résidus contenant du goudron (à l'exception des enrobés bitumineux) provenant du raffinage, de la distillation ou de toute opération de pyrolyse de matière organique
- A3200 Enrobés contenant du goudron et provenant de la construction et de l'entretien des routes (voir rubrique correspondante de la liste B- B2130)

A4 Déchets pouvant contenir des constituants inorganiques ou organiques

- A4010 Déchets issus de la production, de la préparation et de l'utilisation de produits pharmaceutiques, à l'exception de ceux figurant sur la liste B

¹² Le taux de 50 mg/kg est considéré comme un niveau pratique sur le plan international pour tous les déchets. Cependant, plusieurs pays ont individuellement fixé des niveaux réglementaires plus bas (par exemple 20 mg/kg) pour certains déchets.

- A4020 Déchets hospitaliers et apparentés, c'est-à-dire déchets provenant des soins médicaux, infirmiers, dentaires, vétérinaires ou autres pratiques analogues, et déchets produits dans les hôpitaux ou autres établissements apparentés lors de l'examen ou du traitement des patients ou lors des travaux de recherche
- A4030 Déchets issus de la production, de la préparation et de l'utilisation de biocides et de produits phytopharmaceutiques, y compris les déchets de pesticides et d'herbicides non conformes aux spécifications, périmés¹³ ou impropres à l'usage initialement prévu
- A4040 Déchets issus de la fabrication, de la préparation et de l'utilisation de produits chimiques destinés à la préservation du bois¹⁴
- A4050 Déchets contenant, consistant en ou contaminés par l'une des substances suivantes:
- cyanures inorganiques, excepté les résidus des métaux précieux sous forme solide et présentant des traces de cyanures inorganiques
 - cyanures organiques
- A4060 Mélanges et émulsions huile/eau ou hydrocarbure/eau
- A4070 Déchets provenant de la production, de la préparation et de l'utilisation d'encre, de colorants, de pigments, de peintures, de laques ou de vernis, excepté ceux qui figurent sur la liste B (voir rubrique correspondante de la liste B-B4010)
- A4080 Déchets à caractère explosible (à l'exception de ceux qui figurent sur la liste B)
- A4090 Déchets de solutions acides ou basiques, autres que celles qui figurent dans la rubrique correspondante de la liste B (B2120)
- A4100 Déchets provenant des installations industrielles antipollution d'épuration des rejets gazeux industriels, à l'exception de ceux qui figurent sur la liste B
- A4110 Déchets contenant, consistant en ou contaminés par l'une des substances suivantes :
- tout produit de la famille des dibenzofuranes polychlorés
 - tout produit de la famille des dibenzoparadioxines polychlorées
- A4120 Déchets contenant, ou contaminés par des peroxydes
- A4130 Déchets d'emballages et de récipients contenant des substances de l'annexe I à des concentrations suffisantes pour qu'ils présentent l'une des caractéristiques de danger figurant à l'annexe III
- A4140 Déchets contenant des produits chimiques non conformes aux spécifications ou périmés,¹⁵ appartenant aux catégories de l'annexe I et présentant l'une des caractéristiques de danger figurant à l'annexe III
- A4150 Déchets de substances chimiques provenant d'activités de recherche-développement ou d'enseignement, non identifiés et/ou nouveaux et dont les effets sur l'homme et/ou sur l'environnement ne sont pas connus
- A4160 Charbon actif usagé ne figurant pas sur la liste B (voir rubrique correspondante de la liste B-B2060)

¹³ Ils sont dits "périmés" pour n'avoir pas été utilisés dans les délais recommandés par le fabricant.

¹⁴ Cette rubrique n'inclut pas le bois traité avec des produits chimiques en vue de sa préservation.

¹⁵ Ils sont dits "périmés" pour n'avoir pas été utilisés dans les délais recommandés par le fabricant.

Annexe IX**LISTE B**

Les déchets qui figurent dans la présente annexe ne sont pas couverts par l'alinéa a) du paragraphe 1 de l'article premier de la Convention, à moins qu'ils ne contiennent des matières de l'annexe I à des concentrations telles qu'ils présentent une caractéristique de danger figurant à l'annexe III

B1 Déchets de métaux et déchets contenant des métaux

B1010 Déchets et débris de métaux et d'alliages de métaux sous forme métallique non dispersible de:

- métaux précieux (or, argent, groupe du platine, à l'exception du mercure étant exclu)
- chrome
- fer et acier
- cuivre
- nickel
- aluminium
- zinc
- étain
- tungstène
- molybdène
- tantale
- magnésium
- cobalt
- bismuth
- titane
- zirconium
- manganèse
- germanium
- vanadium
- hafnium, indium, niobium, rhénium et gallium
- thorium
- terres rares

B1020 Déchets et débris de métaux et d'alliages de métaux, purs, non contaminés, sous forme finie (tôles, plaques, poutrelles, barres, etc.) :

- antimoine
- béryllium
- cadmium
- plomb (à l'exception des accumulateurs électriques au plomb et à l'acide)
- sélénium
- tellure

B1030 Résidus contenant des métaux réfractaires

B1031 Déchets de métaux et d'alliages constitués d'un ou plusieurs des métaux suivants : molybdène, tungstène, titane, tantale, niobium et rhénium sous forme métallique dispersible (poudre métallique), à l'exception de déchets tels que ceux spécifiés dans la liste A, à la rubrique A1050 – boues de galvanisation

B1040 Débris d'assemblages provenant de générateurs électriques, non contaminés par des huiles lubrifiantes, des PCB ou des PCT au point de devenir dangereux

- B1050 Débris de métaux non-ferreux mélangés (fractions lourdes) dépourvus de constituants figurant à l'annexe I à des concentrations telles qu'ils présentent l'une des caractéristiques de danger figurant à l'annexe III¹⁶
- B1060 Déchets de sélénium et de tellure sous forme de métal élémentaire, y compris les poudres
- B1070 Déchets de cuivre et d'alliages de cuivre sous forme dispersible, sauf s'ils possèdent des constituants figurant à l'annexe I à des concentrations telles qu'ils présentent l'une des caractéristiques de danger figurant à l'annexe III
- B1080 Cendres et résidus de zinc, y compris résidus d'alliages de zinc sous forme dispersible, sauf s'ils possèdent des constituants de l'annexe I à des concentrations telles qu'ils présentent l'une des caractéristiques figurant à l'annexe III¹⁷ ou s'ils présentent la caractéristique de danger H4.3
- B1090 Déchets de piles et d'accumulateurs conformes à certaines spécifications, à l'exception de ceux contenant du plomb, du cadmium ou du mercure
- B1100 Déchets contenant des métaux et provenant de la fonte, de la fusion et de l'affinage des métaux:
- Mattes de galvanisation
 - Ecumes et laitiers de zinc
 - mattes de surface de la galvanisation (> 90% Zn)
 - mattes de fond de la galvanisation (> 92% Zn)
 - laitiers de fonderie sous pression (> 85% Zn)
 - laitiers provenant de la galvanisation à chaud (procédé discontinu) (> 92% Zn)
 - résidus provenant de l'écumage du zinc
 - Résidus provenant de l'écumage de l'aluminium, à l'exception des scories salées
 - Scories provenant du traitement du cuivre destinées à un affinage ultérieur, ne contenant pas d'arsenic, de plomb ni de cadmium, au point de présenter l'une des caractéristiques de danger figurant à l'annexe III
 - Déchets de revêtements réfractaires, y compris les creusets, issus de la fusion du cuivre
 - Scories provenant du traitement des métaux précieux et destinées à un affinage ultérieur
 - Scories d'étain contenant du tantale, contenant moins de 0,5% d'étain
- B1110 Déchets d'assemblages électriques et électroniques
- Déchets et débris d'assemblages électroniques constitués uniquement de métaux ou d'alliages
 - Déchets et débris d'assemblages électriques et électroniques¹⁸ (y compris les circuits imprimés) ne contenant pas d'éléments tels que les accumulateurs et autres piles mentionnés sur la liste A, les interrupteurs à mercure, les verres de tubes cathodiques, les autres verres activés, et les condensateurs au PCB, ou non contaminés par les constituants figurant à l'annexe I (tels que cadmium, mercure, plomb, polychlorobiphényles, etc.) ou purifiés de ces constituants, au point de ne présenter aucune des caractéristiques figurant à l'annexe III (voir rubrique correspondante de la liste A -A1180)

¹⁶ Il est à noter que même en cas de faible niveau de contamination initiale par des constituants figurant à l'annexe I, les traitements ultérieurs, y compris le recyclage, peuvent aboutir à des fractions séparées ayant des concentrations nettement plus élevées de ces constituants figurant à l'annexe I.

¹⁷ Le statut à accorder aux cendres de zinc est actuellement à l'étude, et il est recommandé par la Conférence des Nations Unies sur le commerce et le développement (CNUCED) que ces cendres ne soient pas classées comme matières dangereuses.

¹⁸ Cette rubrique n'inclut pas les débris provenant de la production des générateurs électriques.

- Déchets et débris d'assemblages électriques et électroniques (y compris circuits imprimés, composants et fils électriques) destinés à une réutilisation directe¹⁹ et non au recyclage ou à l'élimination définitive²⁰

B1120 Catalyseurs usagés, à l'exception des liquides utilisés comme catalyseurs, possédant l'un des constituants suivants :

Métaux de transition, à l'exclusion des déchets de catalyseurs (catalyseurs usagés, catalyseurs liquides usagés ou autres catalyseurs) de la liste A :	scandium	titane
	vanadium	chrome
	manganèse	fer
	cobalt	nickel
	cuivre	zinc
	yttrium	zirconium
	niobium	molybdène
	hafnium	tantale
	tungstène	rhénium
	Lanthanides (terres rares):	lanthane
	praséodyme	néodyme
	samarium	europium
	gadolinium	terbium
	dysprosium	holmium
	erbium	thulium
	ytterbium	lutécium

B1130 Catalyseurs usagés épurés, contenant des métaux précieux

B1140 Résidus de métaux précieux sous forme solide, avec des traces de cyanures inorganiques

B1150 Déchets de métaux précieux et de leurs alliages (or, argent, groupe du platine, à l'exception du mercure) sous forme dispersible non liquide, avec conditionnement et étiquetage appropriés

B1160 Cendres de métaux précieux provenant de l'incinération de circuits imprimés (voir rubrique correspondante de la liste A - A1150)

B1170 Cendres de métaux précieux provenant de l'incinération de pellicules photographiques

B1180 Déchets de pellicules photographiques contenant des halogénures d'argent et de l'argent métallique

B1190 Déchets de papiers photographiques contenant des halogénures d'argent et de l'argent métallique

B1200 Laitiers granulés provenant de la fabrication du fer et de l'acier

B1210 Scories provenant de la fabrication du fer et de l'acier, y compris les scories utilisées comme source de dioxyde de titane et de vanadium

B1220 Scories provenant de la production du zinc, chimiquement stabilisées, ayant une forte teneur en fer (plus de 20%) et traitées conformément aux spécifications industrielles (par exemple DIN 4301) pour utilisation principalement dans la construction

B1230 Battitures provenant de la fabrication du fer et de l'acier

B1240 Battitures d'oxyde de cuivre

B1250 Véhicules à moteur en fin de vie ne contenant ni liquides ni autres éléments dangereux

¹⁹ La réutilisation peut inclure la réparation, la remise en état ou l'amélioration, mais pas un réassemblage majeur.

²⁰ Dans certains pays, ces matières destinées à être réutilisées directement ne sont pas considérées comme des déchets.

B2 Déchets ayant principalement des constituants inorganiques pouvant contenir des métaux et des matières organiques

B2010 Déchets d'opérations minières sous forme non dispersible

- Déchets de graphite naturel
- Déchets d'ardoise, même dégrossie ou simplement débitée, par sciage ou autrement
- Déchets de mica
- Déchets de leucite, de néphéline et de néphéline syénite
- Déchets de feldspath
- Déchets de spath fluor
- Déchets de silicium sous forme solide, à l'exception de ceux utilisés dans les opérations de fonderie

B2020 Déchets de verre sous forme non dispersible

- Calcin et autres déchets et débris de verres, à l'exception du verre provenant de tubes cathodiques et d'autres verres activés

B2030 Déchets et débris de céramiques sous forme non susceptible de dispersion

- Déchets et débris de cermets (composites à base de céramique et de métal)
- Fibres à base de céramique, non spécifiées ni comprises ailleurs

B2040 Autres déchets contenant essentiellement de constituants inorganiques

- Sulfate de calcium partiellement raffiné provenant de la désulfuration des fumées
- Déchets d'enduits ou de plaques au plâtre provenant de la démolition de bâtiments
- Scories provenant de la production du cuivre, chimiquement stabilisées, contenant une quantité importante de fer (supérieure à 20%) et traitées conformément aux spécifications industrielles (par exemple DIN 4301 et DIN 8201), destinées principalement à la construction et aux applications abrasives
- Soufre sous forme solide
- Carbonate de calcium provenant de la production de cyanamide de calcium (ayant un pH inférieur à 9)
- Chlorures de sodium, de potassium et de calcium
- Carborundum (carbure de silicium)
- Débris de béton
- Grosil et résidus de cristaux contenant du lithium et du tantale ou du lithium et du niobium

B2050 Cendres volantes de centrales électriques alimentées au charbon, ne figurant pas sur la liste A (voir rubrique correspondante sur la liste A - A2060)

B2060 Charbon actif usagé provenant du traitement de l'eau potable, de procédés de l'industrie alimentaire et de la production de vitamines (voir rubrique correspondante de la liste A -A4160)

B2070 Boues de fluorure de calcium

B2080 Déchets de gypse provenant de traitements chimiques industriels, ne figurant pas sur la liste A (voir rubrique correspondante de la liste A - A2040)

B2090 Anodes usagées de coke de pétrole ou de bitume de pétrole provenant de la production d'acier ou d'aluminium, épurées selon les spécifications industrielles usuelles (à l'exception des anodes provenant de l'électrolyse chloro-alkaline et de l'industrie métallurgique)

B2100 Déchets d'hydrates d'aluminium, déchets d'alumine et résidus provenant de la production d'alumine, à l'exception des matières utilisées dans les procédés d'épuration de fumées, de floculation et de filtration

B2110 Résidus de bauxite ("boues rouges") (pH moyen inférieur à 11,5)

B2120 Déchets de solutions acides ou basiques ayant un pH supérieur à 2 et inférieur à 11,5, qui ne sont pas corrosives ou autrement dangereuses (voir rubrique correspondante de la liste A - A4090)

B2130 Enrobés ne contenant pas de goudron^a et provenant de la construction et de l'entretien des routes (voir rubrique correspondante de la liste A - A3200)

B3 Déchets ayant principalement des constituants organiques pouvant contenir des métaux et des matières inorganiques

B3010 Déchets [et débris] de matières plastiques sous forme solide

Déchets et débris de matières plastiques ou mélange de matières plastiques ci-après, à condition qu'elles ne soient pas mélangées avec d'autres déchets et qu'elles soient préparées selon certaines spécifications:

- Déchets plastiques de polymères et copolymères non halogénés comprenant mais non limités aux constituants suivants ²¹:
 - éthylène
 - styrène
 - polypropylène
 - téréphtalate de polyéthylène
 - acrylonitrile
 - butadiène
 - polyacétales
 - polyamides
 - téréphtalates de polybutylène
 - polycarbonates
 - polyéthers
 - sulfures de polyphénylène
 - polymères acryliques
 - alcanes C10-C13 (plastifiants)
 - polyuréthanes (ne contenant pas d'hydrocarbures chlorofluorés)
 - polysiloxanes
 - polyméthacrylate de méthyle
 - alcool polyvinylique
 - butyral de polyvinyle
 - acétate polyvinylique
- Déchets durcis de résine ou produits polymérisés de condensation comme :
 - résines uréiques de formaldéhyde
 - résines phénoliques de formaldéhyde
 - résines mélaminiques de formaldéhyde
 - résines époxydes
 - résines alkydes
 - polyamides
- Les déchets de polymères fluorés suivants ²²
 - perfluoroéthylène/propylène
 - alcane alcoyle perfluoré
 - tétrafluoroéthylène/éther de vinylic perfluoré (PFA)

^a La concentration de benzo[a]pyrène ne devrait pas être égale ou supérieure à 50 mg/kg

²¹ Il est entendu que ces déchets sont entièrement polymérisés

²²

- Cette rubrique ne couvre pas les produits en fin de vie
- Les déchets ne doivent pas avoir été mélangés
- Les problèmes découlant des pratiques de brûlage à l'air libre doivent être pris en considération

○ tétrafluoroéthylène/éther de méthylvinyl perfluoré (MFA)

- fluorure de polyvinyle
- fluorure de polyvinylidène

B3020 Déchets de papier, de carton et de produits de papier

Matières ci-après, à condition qu'elles ne soient pas mélangées avec des déchets dangereux :

Déchets et rebuts de papier ou de carton :

- de papiers ou cartons écrus ou de papiers ou cartons ondulés
- d'autres papiers ou cartons obtenus principalement à partir de pâtes chimiques blanchies, non colorés dans la masse
- de papiers ou cartons obtenus à partir de pâtes mécaniques (par exemple journaux, périodiques et imprimés similaires)
- autres, comprenant et non limités aux :
 - i) cartons contrecollés
 - ii) rebuts non triés

B3030 Déchets de matières textiles

Matières ci-après, à condition qu'elles ne soient pas mélangées avec d'autres déchets et qu'elles soient préparées selon certaines spécifications

- Déchets de soie (y compris les cocons non dévidables, les déchets de fils et les effilochés)
 - non cardés ni peignés
 - autres
- Déchets de laine ou de poils fins ou grossiers, y compris les déchets de fils mais à l'exception des effilochés
 - blouses de laine ou de poils fins
 - autres déchets de laine ou de poils fins
 - déchets de poils grossiers
- Déchets de coton (y compris les déchets de fils et les effilochés)
 - déchets de fils
 - effilochés
 - autres
- Etoupes et déchets de lin
- Etoupes et déchets (y compris les déchets de fils et les effilochés) de chanvre (*Cannabis sativa* L.)
- Etoupes et déchets (y compris les déchets de fils et les effilochés) de jute et d'autres fibres textiles libériennes (à l'exception du lin, du chanvre et de la ramie)
- Etoupes et déchets (y compris les déchets de fils et les effilochés) de sisal et d'autres fibres textiles du genre *Agave*
- Etoupes et déchets (y compris les déchets de fils et les effilochés) de coco
- Etoupes et déchets (y compris les déchets de fils et les effilochés) d'abaca (chanvre de Manille ou *Musa textilis* Nee)
- Etoupes et déchets (y compris les déchets de fils et les effilochés) de ramie et d'autres fibres textiles végétales, non dénommées ni comprises ailleurs
- Déchets (y compris les déchets de fils, blouses et effilochés)
 - de fibres synthétiques
 - de fibres artificielles
- Articles de friperie

- Chiffons, ficelles, cordes et cordages en matières textiles au rebut sous forme de déchets ou articles hors d'usage
 - triés
 - autres

B3035 Déchets de revêtements de sols en matières textiles, tapis

B3040 Déchets de caoutchouc

Matières ci-après, à condition qu'elles ne soient pas mélangées avec d'autres types de déchets:

- Déchets et débris de caoutchouc durci (ébonite, par exemple)
- Autres déchets de caoutchouc (à l'exception de ceux spécifiés ailleurs)

B3050 Déchets de liège et de bois non traités

- Sciures, déchets et débris de bois, même agglomérés sous forme de bûches, briquettes et boulettes ou sous formes similaires
- Déchets de liège : liège concassé, granulé ou pulvérisé

B3060 Déchets issus des industries alimentaires et agroalimentaires, à condition qu'ils ne soient pas infectieux:

- Lies de vin
- Matières végétales et déchets végétaux, résidus et sous-produits végétaux, séchés et stérilisés, même agglomérés sous forme de pellets, du type de ceux utilisés pour l'alimentation des animaux, non dénommés ni compris ailleurs
- Dégras ; résidus provenant du traitement des corps gras ou des cires animales ou végétales
- Déchets d'os et de cornillons, bruts, dégraissés, simplement préparés (mais non découpés en forme), acidulés ou dégelatinés
- Déchets de poisson
- Coques, pellicules (pelures) et autres déchets de cacao
- Autres déchets provenant de l'industrie agroalimentaire, à l'exception des sous-produits qui respectent les prescriptions et les normes imposées aux niveaux national et international pour l'alimentation humaine ou animale

B3065 Déchets de graisse et d'huiles alimentaires d'origine animale ou végétale (par exemple huiles de friture) , à condition qu'ils ne présentent aucune des caractéristiques de l'Annexe III

B3070 Déchets suivants:

- Déchets de cheveux
- Déchets de paille
- Mycélium de champignon désactivé provenant de la production de la pénicilline, utilisé pour l'alimentation des animaux

B3080 Déchets, rognures et débris de caoutchouc

B3090 Rognures et autres déchets de cuirs et de peaux préparées ou de cuir reconstitué, non utilisables pour la fabrication d'ouvrages en cuir, à l'exception des boues de cuir, ne contenant pas de composés du chrome hexavalent ni de biocides (voir rubrique correspondante de la liste A-A3100)

B3100 Sciures, cendres, boues ou farines de cuir ne contenant pas de composés du chrome hexavalent ni de biocides (voir rubrique correspondante de la liste A - A3090)

B3110 Déchets issus de la pelleterie, ne contenant pas de composés du chrome hexavalent, de biocides ni de substances infectieuses (voir rubrique correspondante de la liste A -A3110)

B3120 Déchets constitués de colorants alimentaires

B3130 Déchets d'éthers polymères et déchets d'éthers monomères non dangereux et non susceptibles de former des peroxydes

B3140 Pneumatiques usagés, à l'exception de ceux destinés aux opérations citées à l'annexe IV.A

B4 Déchets pouvant contenir des constituants inorganiques ou organiques

B4010 Déchets constitués principalement de peintures à l'eau/à l'huile, d'encre et de vernis durcis, ne contenant pas de solvants organiques, de métaux lourds ni de biocides à des concentrations pouvant les rendre dangereux (voir rubrique correspondante de la liste A -A4070)

B4020 Déchets issus de la production, de la préparation et de l'utilisation de résines, de latex, de plastifiants, de colles et d'adhésifs, ne figurant pas sur la liste A et dépourvus de solvants et autres contaminants de sorte qu'ils ne présentent pas les caractéristiques de danger mentionnées à l'annexe III, par exemple lorsqu'ils sont à base d'eau ou de colles à base d'amidon (caséine), dextrine, éthers cellulosiques et alcools polyvinyliques (voir rubrique correspondante de la liste A - A3050)

B4030 Appareils photographiques jetables hors d'usage, ne contenant pas de piles figurant sur la liste A

VII/22. Harmonization of lists of wastes and related procedures

The Conference of the Parties,

Recalling its decision VI/37 (Work programme of the Open-ended Working Group) and decision OEWG-I/13 (Other issues in the work programme: arrangement of work) of the Open-ended Working Group,

1. *Requests* the Open-ended Working Group to revise the forms for the notification and movement documents for the control of transboundary movements of hazardous wastes and their disposal under the Basel Convention and the related instructions for filling in those forms;

2. *Invites* Parties and others to submit comments on the forms for the notification and movement documents contained in document UNEP/CHW/TWG/19/INF/5 to the Secretariat by 31 March 2005, taking into account the comments made in document UNEP/CHW.7/18;

3. *Requests* the Secretariat to prepare draft revised forms and related instructions for consideration by the Open-ended Working Group with a view to adoption by the Conference of the Parties at its eighth meeting.

VII/23. Implementation of decision III/1

The Conference of the Parties,

Recalling its decision VI/33 on the implementation of decision III/1, entitled "Amendment to the Basel Convention",

Taking note of the progress made by Parties in implementing decision III/1,

Further noting that States and political and/or economic integration organizations that have already deposited instruments of ratification, acceptance, formal confirmation, approval of, or accession to the amendment to the Basel Convention adopted in decision III/1 are already giving effect to the provisions of that amendment,

1. *Welcomes* the ratification, acceptance, formal confirmation or approval by several Parties of the amendment contained in decision III/1;

2. *Strongly appeals* to Parties to the Convention to expedite the process of ratification, acceptance, formal confirmation, approval of or accession to the amendment to facilitate its entry into force at the earliest opportunity;

3. *Also strongly appeals* to States that are not Party to the Basel Convention to expedite the process of ratification, acceptance or approval of, or accession to, the Basel Convention and its amendments.

VII/24. Analysis of issues related to Annex VII

The Conference of the Parties,

Recalling its decision VI/34, in which it, among other things, entrusted the Open-ended Working Group with overseeing the development of work and requested it to present its final report on the analysis of issues related to Annex VII to the Conference of the Parties for a final decision at its seventh meeting,

Reaffirming its decision to leave Annex VII unchanged until the amendment contained in its decision III/1 enters into force,

1. *Takes note* of the final report of the Open-ended Working Group on the analysis of issues related to Annex VII, as contained in document UNEP/CHW.7/12;
2. *Invites* States that have not become party to the Basel Convention to consider doing so.

VII/25. Joint Working Group of the International Labour Organization, the International Maritime Organization and the Basel Convention on Ship Scrapping

The Conference of the Parties,

Welcoming the progress made to date in facilitating inter-agency cooperation at both the national and international levels on the subject of ship dismantling,

Considering especially the work of the meeting between the secretariats of the International Labour Office, the International Maritime Organization and the Basel Convention, held at Geneva on 13 and 14 January 2004 (the joint secretariat meeting),²³

Taking into account the terms of reference proposed at the joint secretariat meeting for the Joint Working Group of the International Labour Organization, the International Maritime Organization and the Basel Convention on ship scrapping (the "Joint Working Group"),

Noting that the report of the joint secretariat meeting was submitted to the Marine Environment Protection Committee of the International Maritime Organization for consideration at its fifty-first session, held from 29 March to 2 April 2004, and to the Sectoral and Technical Meetings Committee of the Governing Body of the International Labour Office, at its session in February and March 2004,

Also noting that the Governing Body of the International Labour Office took note of the report of the joint secretariat meeting,

Further noting that the terms of reference for the Joint Working Group, as proposed by the joint secretariat meeting, were approved, with minor editorial amendments, by the Marine Environment Protection Committee of the International Maritime Organization at its fifty-first session,

Noting further the report of the Working Group on Ship Recycling of the Marine Environment Protection Committee of the International Maritime Organization, adopted at the Committee's fifty-second session,

Aware of the proposal to hold the first meeting of the Joint Working Group from 15 to 17 February 2005 at the headquarters of the International Maritime Organization,

Also noting the proposed provisional agenda for the first meeting of the Joint Working Group contained in annex II to the present decision,

1. *Agrees* to the terms of reference and working arrangements of the Joint Working Group contained in annex I to the present decision;

²³ The full report of this meeting may be found in annex I to Decision III/4 adopted by the Open-ended Working Group contained in document UNEP/CHW/OEWG/3/34.

2. *Also agrees:*

(a) That the Joint Working Group will meet on a regular basis, rotating between the headquarters of the International Labour Organization, the International Maritime Organization and the Secretariat of the Basel Convention, or any other venue agreed upon, and that the host organization will assume the role of the secretariat for the purposes of such meetings;

(b) That participation by the Basel Convention in the Joint Working Group should ensure representation of all geographical regions;

3. *Decides* to appoint the following five Parties to the Basel Convention that have been nominated by the regional groups to participate in the Joint Working Group on the understanding that representatives of other Parties, signatories, intergovernmental organizations and non-governmental organizations may participate as observers:

(a) For the Asia and the Pacific group, China;

(b) For the African group, the Gambia;

(c) For the Central and Eastern European group, Russian Federation;

(d) For the Latin America and Caribbean group, Jamaica;

(e) For the Western Europe and others group, the United Kingdom of Great Britain and Northern Ireland;

4. *Authorizes* the Open-ended Working Group to review the composition of the Basel Convention representation to the Joint Working Group, if necessary, and to appoint replacement representatives to the Joint Working Group as appropriate;

5. *Invites* the Joint Working Group to propose a practical approach that provides guidance to be considered by the three organizations to promote environmentally sound management of ship dismantling;

6. *Invites* the Joint Working Group to discuss the responsibility of flag States in the context of environmentally sound management of ship dismantling;

7. *Invites* the Joint Working Group to consider the development of a reporting system for ships destined for dismantling;

8. *Declares* that the Joint Working Group shall not be considered as taking precedence over or superseding the work of the Conference of the Parties or other activities of the Basel Convention regarding the dismantling of ships;

9. *Requests* the Secretariat to report to future meetings of the Open-ended Working Group and the Conference of the Parties on the outcome of the first and subsequent meetings of the Joint Working Group;

10. *Decides* to place this matter on the agenda for consideration by the Conference of the Parties at its eighth meeting.

Annex I to decision VII/25 on the Joint Working Group

Terms of reference and working arrangements for the Joint Working Group

Terms of reference

The Joint Working Group should:

1. Consider the respective work programmes of the International Labour Organization (ILO), the International Maritime Organization (IMO) and the Conference of the Parties to the Basel Convention on the issue of ship scrapping in order to avoid duplication of work and overlapping of responsibilities and competencies between the three organizations, and identify further needs;

2. Facilitate the exchange of views between the three organizations in order to ensure a coordinated approach to all relevant aspects of ship scrapping;

3. Undertake a comprehensive initial examination of the:
 - Technical Guidelines for the Environmentally Sound Management of the Full and Partial Dismantling of Ships, adopted by the Sixth Meeting of the Conference of Parties to the Basel Convention;
 - IMO Guidelines on Ship Recycling, adopted by resolution A.962(23);
 - Safety and Health in Shipbreaking: Guidelines for Asian countries and Turkey, developed by ILO, with a view to identifying any possible gaps, overlaps, or ambiguities;
4. Consider mechanisms to promote jointly the implementation of the relevant guidelines on ship scrapping;
5. Monitor progress of any jointly organized technical cooperation activities;
6. Submit recommendations and any other relevant information on the above or other pertinent matters to bodies of IMO, ILO and the Basel Convention, as appropriate.

Working arrangements

The following should be the working arrangements of the Joint Working Group:

1. The Joint Working Group should meet on a regular basis, rotating between the headquarters of ILO, IMO and the Basel Convention, or any other venue agreed upon. The host organization should assume the role of secretariat.
2. The Joint Working Group should consist of representatives appointed by each organization, the number to be appointed by each being decided by agreement between the three organizations. The Joint Working Group should ensure, as appropriate, representation of all geographical regions of the world with an interest in the subject matter. Other interested parties who express a wish may be allowed to participate in the discussions of the Joint Working Group.
3. The Joint Working Group shall determine its own procedures.

Annex II to decision VII/25 on the Joint Working Group

Provisional agenda for the first meeting of the Joint Working Group of the International Labour Organization, the International Maritime Organization and the Basel Convention on Ship Scrapping, to be held at IMO Headquarters, 4 Albert Embankment, London SE1, 7SR from 9.30 a.m. on Tuesday, 15 to Thursday, 17 February 2005

1. Opening of the session and election of the Chairman.
2. Adoption of the agenda.
3. Consideration of the work programmes of the pertinent bodies of ILO, IMO and the Conference of the Parties to the Basel Convention on the issue of ship scrapping.
4. Examination of the relevant ILO, IMO and Basel Convention guidelines on ship scrapping.
5. Promotion of the implementation of the guidelines on ship scrapping.
6. Joint technical cooperation activities.
7. Work programme of the Joint Working Group.
8. Any other business.
9. Consideration of the report of the Joint Working Group.

VII/26. Environmentally sound management of ship dismantling

The Conference of the Parties,

Aware of the risk of damage to human health and the environment caused by hazardous wastes and other wastes and the transboundary movement thereof,

Recognizing that many ships and other floating structures are known to contain hazardous materials and that such hazardous materials may become hazardous wastes as listed in the annexes to the Basel Convention,

Concerned that ships and other floating structures may pose a threat to the environment and human health if they are not, when pre-decontaminated or dismantled, managed in an environmentally sound manner,

Noting the need to improve the standards of ship dismantling worldwide and the importance of international cooperation in achieving this goal,

Recognizing the importance of the environmentally sound management of dismantling of ships,

Noting that a ship may become waste as defined in article 2 of the Basel Convention and that at the same time it may be defined as a ship under other international rules,

Recognizing the important role that concerned States, ship owners, recycling facility operators and other stakeholders have to play in developing mechanisms to ensure the environmentally sound management of ship dismantling,

Further recognizing the need to ensure effective enforcement of such mechanisms, including a reporting system, for ships destined for dismantling,

Recalling decision V/28 on the dismantling of ships, which mandated the Technical Working Group to collaborate with the International Maritime Organization on the subject of the full and partial dismantling of ships and, together with the Legal Working Group, to discuss the legal aspects of the subject under the Basel Convention,

Further recalling decision VI/24 on technical guidelines for the environmentally sound management of the full and partial dismantling of ships,

Noting that the Governing Body of the International Labour Office has adopted guidelines on safety and health in ship breaking, that the International Maritime Organization has adopted guidelines on ship recycling and that the Basel Convention has adopted technical guidelines for the environmentally sound management of the full and partial dismantling of ships,

Noting the importance of promoting the implementation of the above-mentioned guidelines,

Further noting that the International Maritime Organization and the International Labour Organization, together with the Conference of the Parties to the Basel Convention, have agreed to establish a joint working group on ship scrapping and have agreed to terms of reference and working arrangements governing its activities,

Affirming that elements of prior informed consent as elaborated in the Basel Convention enable the minimization of the impact to human health and the environment associated with dismantling of ships, recognizing the particular issues that arise in the unique context of ships,

Noting the progress made at the fifty-second session of the International Maritime Organization's Marine Environment Protection Committee toward the possible development of a mandatory scheme for ship recycling, including a reporting system for ships destined for recycling,

Realizing that States have distinct obligations as Parties to the United Nations Convention on the Law of the Sea and relevant International Maritime Organization conventions, including obligations of States in their capacities as flag States and as Parties to the Basel Convention, including obligations in their capacities as States of Export, and that States should be able to meet these obligations in a consistent manner,

Noting that duplication of regulatory instruments that have the same objective should be avoided,

1. *Reminds* the Parties to fulfil their obligations under the Basel Convention, where applicable, in particular their obligations with respect to prior informed consent, minimization of transboundary movements of hazardous wastes and the principles of environmentally sound management;
2. *Invites* Parties, other States, ship owners and other stakeholders to assist in the improvement of the environmentally sound management of ship dismantling worldwide;
3. *Invites* Parties, especially developed States, to encourage the establishment of domestic ship recycling facilities;
4. *Encourages* Parties to ensure their full and effective participation in the deliberations of the joint working group of the International Maritime Organization, the International Labour Organization and the Basel Convention, either through their representatives or as observers;
5. *Invites* the International Maritime Organization to continue to consider the establishment in its regulations of mandatory requirements, including a reporting system for ships destined for dismantling, that ensure an equivalent level of control as established under the Basel Convention and to continue work aimed at the establishment of mandatory requirements to ensure the environmentally sound management of ship dismantling, which might include pre-decontamination within its scope;
6. *Requests* the Open-ended Working Group to consider the practical, legal and technical aspects of the dismantling of ships in the context of achieving a practical approach to the issue of ship dismantling, to report on developments and to present any proposals, as appropriate, to the Conference of the Parties at its eighth meeting on a legally binding solution, taking into consideration the work of the International Maritime Organization and the work of the joint working group.

VII/27. Abandonment of ships

The Conference of the Parties,

Recognizing the concern expressed by a number of Parties related to the abandonment of ships on land or in ports,

Concerned that abandonment of ships on land or in ports could have effects on human health and the environment,

1. *Invites* Parties to provide information regarding the abandonment of ships on land or in ports to the Secretariat of the Basel Convention and directs the Secretariat to compile such information for presentation to the Open-ended Working Group;
2. *Requests* the Open-ended Working Group to consider the information submitted with a view to taking action, as deemed appropriate;
3. *Requests* the Secretariat to consult the secretariat of the International Maritime Organization on this issue.

VII/28. Basel Protocol on Liability and Compensation

The Conference of the Parties,

Recalling its decision VI/15 on the Basel Protocol on Liability and Compensation,

Also recalling Open-ended Working Group decision OEWG-II/2 on the Basel Protocol on Liability and Compensation,

Noting the importance of the workshops called for in the latter decision as a means of promoting the exchange of information on the difficulties faced by Parties with respect to ratification of and accession to the Basel Protocol on Liability and Compensation, with a view to enhancing such ratification and accession,

Also noting with appreciation the kind financial support provided by the Government of Switzerland towards the organization of three workshops,

Welcoming with appreciation the efforts made by the Secretariat, the Basel Convention regional centres and the host countries in organizing workshops,

Taking note of the work undertaken to date by the Secretariat,

Welcoming with appreciation the assistance offered by the Government of Switzerland in the preparation of the instruction manual,

Further noting the need for further work on the manual to render it ready for approval,

1. *Calls upon* all Parties and organizations that are in a position to do so to make financial or in-kind contributions for the organization of workshops for addressing various aspects of and obstacles to the process of ratification of or accession to the Basel Protocol as called for in decision VI/15;
2. *Requests* the Secretariat to continue its work on organizing workshops to address aspects of and obstacles to the process of ratification of or accession to the Basel Protocol;
3. *Also requests* the Secretariat to continue consultations with relevant institutions and to report thereon to the Open-ended Working Group regarding the options that may be available with respect to the requirement of insurance, bonds or other financial guarantees and the financial limits established under the Protocol;
4. *Further requests* the Secretariat to provide legal and technical assistance to Parties who require such assistance for the implementation of the Protocol;
5. *Requests* the Open-ended Working Group to consider and approve the instruction manual;
6. *Also requests* the Secretariat, upon approval by the Open-ended Working Group, to publish the instruction manual in all official United Nations languages and to disseminate it widely;
7. *Invites* Parties, upon approval by the Open-ended Working Group, to use the instruction manual, to report to the Secretariat on their experience in the use of the instruction manual and to submit to the Secretariat, on an on-going basis, copies of domestic laws and regulations implementing the Basel Protocol as well as case studies on the application of the Protocol;
8. *Further requests* the Secretariat to update the instruction manual on a regular basis by the addition, as annexes to the instruction manual, of copies of domestic laws and regulations and case studies relating to the implementation of the Basel Protocol submitted by Parties.

VII/29. Interim guidelines for the implementation of decision V/32 on enlargement of the scope of the Trust Fund to Assist Developing and Other Countries in Need of Technical Assistance in the Implementation of the Basel Convention

The Conference of the Parties,

Recalling decision V/32 concerning the enlargement, on an interim basis, of the scope of the Technical Cooperation Trust Fund,

Recalling also decision VI/14 concerning the interim guidelines for the implementation of decision V/32 on enlargement of the scope of the Trust Fund to Assist Developing and Other Countries in Need of Technical Assistance in the Implementation of the Basel Convention, and, in particular, that Parties and the Secretariat are to keep under review the possibilities for improving the existing mechanism or, if necessary, the establishment of a new mechanism for providing assistance in cases of emergency and compensation for damage resulting from incidents arising from transboundary movements of hazardous wastes and other wastes and their disposal, as provided for and adopted in paragraph 4 of decision VI/14,

Referring to decision V/29 on the adoption of the Protocol on Liability and Compensation for Damage Resulting from Transboundary Movements of Hazardous Wastes and their Disposal and, in particular, article 15, paragraph 1, of the Protocol on Liability and Compensation,

Referring to decision VI/41 on financial matters,

Taking note of article 15, paragraph 2, of the Protocol on Liability and Compensation,

Observing that requests for emergency assistance under paragraph 2 of decision V/32 and part 1 of the interim guidelines for the implementation of decision V/32 have not been submitted by Parties,

1. *Invites* developing countries and countries with economies in transition that are Parties to the Basel Convention to submit project proposals pursuant to part 3 of the interim guidelines for the implementation of decision V/32, for the development of capacity-building, transfer of technology and putting in place of measures to prevent accidents and damage to the environment caused by transboundary movements of hazardous wastes and other wastes and their disposal, including for the development of emergency response and contingency plans;

2. *Urges* Parties to provide contributions to the Technical Cooperation Trust Fund to support the activities referred to in parts 1, 2 and 3 of the interim guidelines and agrees that a contributor may specify that its contributions be used for purposes specified in parts 1, 2 or 3 of the interim guidelines;

3. *Requests* the Secretariat to continue collating information related to incidents, as defined under article 2, paragraph 2 (h), of the Protocol on Liability and Compensation, specifically:

(a) The number of incidents arising from transboundary movements of hazardous wastes and their disposal;

(b) With regard to each incident, the extent to which damage was not compensated by the existing mechanism for providing assistance in cases of emergency and compensation for damage resulting from incidents arising from transboundary movements of hazardous wastes and other wastes and their disposal.

VII/30. Mechanism for implementation and compliance: work programme for 2005–2006

The Conference of the Parties,

Bearing in mind the provisions of the Basel Convention,

Recalling decision VI/12, in which the Conference of the Parties established a mechanism for promoting implementation of and compliance with the Basel Convention,

Recalling also the terms of reference of the mechanism set forth in the appendix to decision VI/12, and in particular paragraph 21, providing for the review by the Committee for Administering the Mechanism for Promoting Implementation and Compliance of general issues of compliance and implementation as directed by the Conference of the Parties,

Also noting the requirement for environmentally sound management of hazardous and other wastes as defined by the Convention,

1. *Approves* the work programme for 2005–2006 of the Committee for Administering the Mechanism for Promoting Implementation and Compliance, contained in the annex to the present decision;

2. *Requests* the committee to establish priorities and work methods and schedules as regards the issues identified in the work programme and to coordinate with the Open-ended Working Group so as to avoid duplication of activities;

3. *Recognizes* the need to provide the committee with sufficient funding in order to enable it to function effectively and to carry out its work programme;

4. *Requests* the committee to report to the Conference of the Parties at its eighth meeting on the work it has carried out to fulfil its functions in accordance with paragraphs 23 and 24 of the terms of reference of the Mechanism for Promoting Implementation and Compliance;

5. *Calls upon* Parties to make use of the mechanism for promoting implementation of and compliance with the Basel Convention, noting that it is non-confrontational, transparent, cost-effective and preventive in nature, simple, flexible, non-binding and oriented in the direction of helping Parties to implement the provisions of the Basel Convention, that it pays particular attention to the special needs of developing countries and countries with economies in transition, and that it is intended to promote cooperation between all Parties;

6. *Requests* the Secretariat of the Basel Convention to compile the views of the Parties as regards the general issues of compliance and implementation and the priorities that, in the view of the Parties, the committee should review, and provide them to the committee for its consideration in connection with the draft work programme for 2007–2008.

Annex

Work programme for 2005–2006 of the Committee for Administering the Mechanism for Promoting the Implementation and Compliance

1. During the biennium 2005–2006, the committee shall review the following general issues in accordance with paragraph 21 of the terms of reference and in accordance with the priorities and budget decided by the Conference of the Parties:

- (a) Identification and analysis of difficulties relating to reporting obligations under the Basel Convention;
- (b) Identification and analysis of difficulties relating to designation and functioning of national competent authorities and focal points;
- (c) Identification and analysis of difficulties relating to development of national legislation to implement effectively the Basel Convention.

2. In doing so, the committee shall take full account of the previous discussions and decisions by the Basel Convention bodies on the relevant issues, and shall also take account of its mandate to complement the work performed by other bodies of the Basel Convention and by the Basel Convention regional centres.

3. When the committee receives specific submissions in accordance with paragraph 9 of the terms of reference, it shall give priority to dealing with such submissions.

VII/31. Mechanism for promoting implementation and compliance: election of members

The Conference of the Parties,

Recalling decision VI/12 on the establishment of a mechanism for promoting implementation and compliance,

Elects the following members to serve on the Committee for Administering the Mechanism for Promoting the Implementation and Compliance of the Basel Convention, for two full terms, concluding at the end of the ninth meeting of the Conference of the Parties:

From the African region: Mr. Ratemo Michieka (Kenya);

From the Asian region: Mr. Abdul Hamid (Pakistan);

From the Central and Eastern European region: Ms. Ilze Donna (Latvia);

From the Latin American and Caribbean region: Ms. Yocasta Valenzuela (Dominican Republic);

From the Western European and other countries region: Mr. Jürg Bally (Switzerland).

Annex

The members of the Committee to serve until the end of the eighth meeting of the Conference of the Parties

From the African region

Mr. Prakash Kowlessar – Mauritius

Mr. Ibrahima Sow – Senegal

From the Asian region

Ms. Wang Qian – People's Republic of China

Mr. Akiho Shibata – Japan

From the Central and Eastern European region

Mr. Givi Kalandadze – Georgia

Mr. Pavel Suian – Romania

From the Latin American and Caribbean region

Mr. Miguel Angel Hildmann – Argentina

Mr. Mauricio Garcia-Velasco – Mexico

From the Western European and other countries region

Ms. Anne Daniel – Canada

Mr. Roy Watkinson – United Kingdom of Great Britain and Northern Ireland

VII/32. Checklist for preparation of national legislation for implementation of the Basel Convention

The Conference of the Parties,

Recalling paragraph 4 of Article 4 of the Basel Convention, which requests Parties to take appropriate legal, administrative and other measures to implement and enforce the provisions of the Convention,

Also recalling decisions II/5, III/16, VI/1 and VI/16 of the Conference of the Parties,

Noting the importance of effective national legal frameworks to the implementation and enforcement of the Basel Convention,

1. *Requests* the Secretariat of the Basel Convention to finalize, in consultation with the Committee for Administering the Mechanism for Promoting Implementation and Compliance, a checklist for the preparation of national legislation for the implementation of the Basel Convention as a complement to the model national legislation, taking into account that such legislation may be combined with national legislation to implement the 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;
2. *Requests* the Secretariat to make the checklist available, including by posting it on the Convention web site;
3. *Requests* the Secretariat to continue to provide advice and assistance on national legislation to Parties upon request;
4. *Requests* the Secretariat to continue to organize regional or subregional training workshops, in collaboration with the Basel Convention regional centres, on the development and formulation of national legislation;
5. *Urges* all Parties and organizations that are in a position to do so to make financial or in-kind contributions for the organization of workshops on the development and formulation of national legislation;
6. *Encourages* Parties to continue to provide the Secretariat with the texts of national legislation and other measures adopted by them to implement the Basel Convention;
7. *Requests* the Secretariat to compile a collection of national legislation and other measures adopted by Parties to implement the Basel Convention and to make such measures available on the web site of the Convention.

VII/33. National definitions of hazardous wastes

The Conference of the Parties,

Noting the standardized draft format for reporting under article 3 of the Basel Convention,

Welcoming the efforts made by Germany, in consultation with other Parties, to assist the Secretariat in developing the standardized draft reporting format,

Mindful of the importance of transmitting the notification of national definitions of hazardous wastes pursuant to article 3 of the Convention by Parties to the Secretariat,

1. *Adopts* the standardized reporting format for reporting under article 3 of the Convention as contained in the annex to the present decision;

2. *Requests* the Parties that have not provided the Secretariat with any of the information required under article 3 of the Convention to provide such information not later than six months after the adoption of the standardized reporting format and to report any subsequent significant change in this information using the standardized format;

3. *Further requests* the Parties, when providing such information to the Secretariat, to make reference to the relevant Convention provision to avoid ambiguity;

4. *Further requests* the Secretariat to assist Parties in ensuring that information notified is up-to-date and as clear as possible to facilitate each Party's understanding of other Parties' national definitions of hazardous wastes;

5. *Requests* the Secretariat to make available on its web site the information received from Parties pursuant to article 3 of the Convention in the six official languages of the United Nations.

National Definition of Hazardous Wastes

1	Is there a definition of hazardous waste in your national legislation?		
	Yes: <input type="checkbox"/>	No: <input type="checkbox"/>	(If no, do not fill in the rest of the form)
	If yes, please provide the text of the national definition of hazardous waste (Please attach the full text of the relevant legislation):		
1a	Is this a significant change to the national definition that has been previously notified to the Secretariat of the Basel Convention pursuant to article 3(2)? (NB: Information transmitted annually under article 13 (3) does not represent a notification in compliance with article 3)		
	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
1b	What is the source/ basis of this definition?		
	Basel Convention <input type="checkbox"/>	OECD-Council Acts <input type="checkbox"/>	EU Waste Law <input type="checkbox"/>
	National <input type="checkbox"/>	Other <input type="checkbox"/> (specify under remarks)	
	<u>Remarks, if necessary:</u>		

VII/34. Illegal traffic

The Conference of the Parties,

Recalling its decision V/23 on the prevention and monitoring of illegal traffic in hazardous wastes and other wastes,

Also recalling its decision VI/16, in which it adopted in the appendix to the decision guidance elements for the detection, prevention and control of illegal traffic in hazardous wastes and called for the preparation of an appendix to the guidance elements in the form of a training manual for personnel involved in preventing, identifying and managing such illegal traffic,

Welcoming the Training Manual for the Enforcement of Laws Implementing the Basel Convention: Guidance for Safe and Effective Detection, Investigation and Prosecution of Illegal Traffic in Hazardous and Other Wastes, as contained in the annex to the note by the Secretariat on guidance elements,²⁴

1. *Requests* the Secretariat to prepare, for submission to the Open-ended Working Group, a revised draft of the training manual, taking into account any comments received from Parties prior to, during and after the seventh meeting of the Conference of Parties but received no later than 31 December 2004, having particular regard to its function as a training tool;
2. *Requests* the Open-ended Working Group to consider and approve the training manual on behalf of the Conference of the Parties;
3. *Agrees*, upon approval by the Open-ended Working Group, to include the text of the training manual as appendix 5 to the Guidance Elements for Detection, Prevention and Control of Illegal Traffic in Hazardous Wastes;
4. *Requests* the Secretariat to make the guidance elements, including their appendices, available on the Convention web site in all official United Nations languages;
5. *Requests* the Open-ended Working Group to continue to review and update the guidance elements as appropriate;
6. *Requests* the Secretariat, in collaboration with the Basel Convention regional centres, to continue to assist Parties, particularly developing countries, in implementing the guidance elements at the national level, including the development of national contingency plans;
7. *Requests* the Secretariat to continue its efforts to organize further training seminars to assist Parties, particularly developing countries, in implementing the guidance elements;
8. *Calls upon* all Parties and organizations in a position to do so to make financial or in-kind contributions for the organization of such training seminars.

VII/35. Transmission of information, including implementation of decision II/12

The Conference of the Parties,

Recalling its decisions VI/27 and VI/28,

Noting the compilation documents and country fact sheets prepared by the Secretariat based on the information reported by Parties for the years 2000 and 2001 in accordance with articles 13 and 16 of the Convention,

Further noting the consolidated report prepared by the Secretariat on the implementation of decisions II/12 and III/1 as contained in the country fact sheets published in 2004,

Acknowledging the efforts made by Parties to report for the years 2000 and 2001,

Also noting with appreciation the progress made by the Finnish Environment Institute in the development of the reporting database,

Stressing the importance of reporting to the Secretariat correct, complete and comparable data on the generation and transboundary movement of hazardous wastes and other wastes,

²⁴ UNEP/CHW.7/24.

Recognizing the importance of developing indicators on hazardous wastes and other wastes taking into account the different social and economic conditions of Parties,

1. *Urges* Parties that have not yet done so to report on articles 13 and 16 for the calendar year 2002 and for previous years, as soon as possible, using the revised questionnaire that was adopted by the Conference of the Parties at its sixth meeting, bearing in mind that, in accordance with the provisions of article 13, paragraph 3, Parties are requested to transmit, before the end of each calendar year, a report on the previous calendar year;
2. *Invites* Parties to provide such information to the Secretariat for the calendar year 2003 before the end of the calendar year 2004;
3. *Encourages* Parties to continue to report on their implementation of decision II/12 in their report under article 13 of the Convention;
4. *Requests* the Secretariat to prepare compilation documents and country fact sheets for the years 2002 and 2003 and to make such information available on a regular basis to the Parties and non-Parties;
5. *Also requests* the Secretariat to prepare a further consolidated report of the implementation of decision II/12 and to report thereon to the Conference of the Parties at its eighth meeting;
6. *Further 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 by organizing workshops through the Basel Convention regional centres or by other appropriate means;
7. *Requests* the Secretariat to initiate the preparatory work that will be necessary to make the reporting database available on its web site;
8. *Requests* the Parties to fill in any data gaps which may exist in their previously reported datasets on generation and transboundary movement of hazardous wastes and other wastes for the year 1999 and onwards, to facilitate the development of indicators;
9. *Requests* the Secretariat to submit a progress report on the initiation of the work of developing a set of indicators to the Open-ended Working Group at its fourth session, in 2005;
10. *Invites* Parties and others to assist the Secretariat in developing such indicators.

VII/36. Guidance elements for bilateral, multilateral or regional agreements or arrangements

The Conference of the Parties,

Recalling decisions VI/12 and VI/18,

Noting decision OEWG-II/3 of the Open-ended Working Group on guidance elements for bilateral, multilateral and regional agreements or arrangements,

1. *Agrees* to cease work on the guidance elements for bilateral, multilateral and regional agreements or arrangements;
2. *Requests* the Secretariat to assist Parties that require assistance in addressing any specific problems that they have related to bilateral, multilateral and regional agreements or arrangements, within the means available to the Secretariat;
3. *Requests* Parties to supply any texts of such agreements or arrangements to the Secretariat pursuant to article 11;
4. *Requests* the Secretariat to place texts of such agreements or arrangements on the Basel Convention web site.

VII/37. Amendment to rule 29 of the rules of procedure

The Conference of the Parties,

Bearing in mind the importance of transparency and promoting awareness and understanding of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal,

Recognizing the importance of the participation of non-governmental institutions and persons towards the achievement of the aims of the Basel Convention,

Decides to amend rule 29 of the rules of procedure for meetings of the Conference of the Parties to read as follows:

“1. Meetings of the Conference of the Parties shall be held in public, unless the Conference of the Parties decides otherwise;

2. Meetings of committees and working groups established by the Conference of the Parties, other than drafting and informal working groups, shall be held in public unless the committee or working group decides otherwise.”

VII/38. International cooperation, including cooperation with the World Trade Organization and the Global Environment Facility

The Conference of the Parties,

Recalling its decisions VI/29 and VI/30 on international cooperation and cooperation with the World Trade Organization, respectively,

Mindful of the increased level of cooperation with United Nations bodies, other international and regional intergovernmental organizations and multilateral environmental agreements,

Conscious of the importance of developing cooperative links in domains of relevance to the implementation of the Basel Convention,

Also conscious of the limited resources available to the Secretariat to discharge its functions,

Noting the tasks contained in the work programme of the Open-ended Working Group for 2005–2006 of relevance to international cooperation,

Considering the report on international cooperation prepared by the Secretariat contained in document UNEP/CHW.7/29,

1. *Requests* the Secretariat to further strengthen cooperation and synergies in the areas and with the organizations listed below, within their respective mandates:

Persistent organic pollutants

(a) The Secretariat of the Stockholm Convention on Persistent Organic Pollutants, the United Nations Environment Programme (UNEP) and the Food and Agriculture Organization of the United Nations on the issue of the environmentally sound management of wastes consisting of, containing or contaminated with persistent organic pollutants;

Toxic chemicals

(b) The Secretariat of the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade regarding joint efforts in training and capacity-building, involving the Basel Convention regional centres, with a view to enhancing implementation;

Strategic approach to international chemicals management

(c) UNEP and other intergovernmental organizations or bodies such as the Inter-Organization Programme for the Sound Management of Chemicals, the Intergovernmental Forum

on Chemical Safety and the OSPAR Commission of the Convention for the Protection of the Marine Environment of the North-East Atlantic, with a view to enhancing synergies and complementarities between chemicals and waste issues;

Enforcement

(d) UNEP, the World Customs Organization, the International Criminal Police Organization (Interpol), relevant multilateral environmental agreements like the chemicals-related conventions, the Montreal Protocol on Substances that Deplete the Ozone Layer to the Vienna Convention for the Protection of the Ozone Layer, the Convention on International Trade in Endangered Species of Wild Flora and Fauna and biosafety-related conventions or protocols;

Transport and classification

(e) The United Nations Committee of Experts on the Transport of Dangerous Goods, that committee's Subcommittee of Experts on the Globally Harmonized System of Classification and Labelling of Chemicals and the World Health Organization regarding the development of criteria for the hazard characteristics of Annex III to the Convention generally and the transport of infectious substances;

Identification of wastes in the World Customs Organization's Harmonized Commodity Description and coding System

(f) The secretariat, the Harmonized System Committee and Subcommittee and the Scientific Sub-Committee of the World Customs Organization;

Dismantling of ships

(g) The secretariats of the International Maritime Organization, the International Labour Organization, the Convention on the Prevention of Marine Pollution by Dumping of Wastes and other Matter (London Convention 1972), the United Nations Convention on the Law of the Sea and UNEP;

2. *Also requests* the Secretariat to continue its cooperation, in accordance with decisions VI/29 and VI/30, on critical areas for the effective implementation of the Basel Convention, its protocol and amendments with relevant organizations, including the following:

- (a) The World Bank;
- (b) The Global Environment Facility;
- (c) The United Nations Commission on Sustainable Development;
- (d) The United Nations Conference on Trade and Development;
- (e) The United Nations Office for the Coordination of Humanitarian Affairs;
- (f) The United Nations Institute for Training and Research;
- (g) The Office of the United Nations High Commissioner for Human Rights;
- (h) United Nations regional economic commissions;
- (i) The United Nations Office of Legal Affairs, Division for Ocean Affairs and the Law of the Sea;
- (j) The World Trade Organization;
- (k) The International Lead and Zinc Study Group, as well as other study groups on copper and nickel;
- (l) The Organisation for the Prohibition of Chemical Weapons;
- (m) The regional seas conventions and action plans;
- (n) The African Union, as secretariat of the Bamako Convention on the Ban of the Import into Africa and the Control of Transboundary Movement and Management of Hazardous Wastes Within Africa;
- (o) The African Ministerial Conference on the Environment;

- (p) The New Partnership for Africa's Development;
 - (q) The South Pacific Regional Environment Programme, as secretariat of the Convention to Ban the Importation into Forum Island Countries of Hazardous and Radioactive Wastes and to Control the Transboundary Movement and Management of Hazardous Wastes Within the South Pacific Region (Waigani Convention);
 - (r) The Organisation for Economic Cooperation and Development;
 - (s) The International Energy Agency;
3. *Further requests* the Secretariat to report on cooperation to the Conference of the Parties at its eighth meeting;
 4. *Encourages* Parties and others to support the cooperative efforts of the Secretariat.

VII/39. Institutional arrangements

The Conference of the Parties,

Recalling its decision VI/36 on institutional arrangements,

Noting the comments submitted by China in regard to the functioning of the Open-ended Working Group,

1. *Invites* other Parties to submit comments to the Secretariat on the functioning of subsidiary bodies in time for consideration by the Conference of the Parties at its eighth meeting;
2. *Requests* the Secretariat to make the comments received from Parties available to the Conference of the Parties at its eighth meeting.

VII/40. Sustainable financing

The Conference of the Parties,

Aware of the extent of the negative impact of hazardous and other wastes on health and the environment in developing countries, particularly in Africa,

Recognizing the need to strengthen and develop the capacities of the various institutions responsible for the control and management of hazardous and other wastes,

Recalling the weakness of the financial, institutional, technical and legal capacities of developing countries with regard to the management of hazardous and other wastes,

Recalling the social and economic imperatives of sustainable development and the needs relating to poverty mitigation that require the mobilization of additional resources,

Recalling the Rio principles,

Realizing the challenge faced by developing countries and countries with economies in transition in implementing the Basel Convention and its guidelines, including through the development of technologies, materials and products relevant to the management of hazardous wastes in an environmentally sound manner,

Noting the effectiveness and importance of lasting and sustainable financing that will enable developing countries to implement adequately the provisions of the Convention,

1. *Requests* the Open-ended Working Group to examine article 14 of the Basel Convention, by taking into account the various options provided under the study made on resource mobilization, with a view to determining the legal and institutional feasibility of appropriate and predictable financial mechanisms of the Convention;
2. *Requests* the Open-ended Working Group to report its findings to the Conference of the Parties at its eighth meeting.

VII/41. Financial matters

The Conference of the Parties,

Recalling decision VI/41 on financial matters,

Noting the financial report on the trust funds for 2003 and 2004 contained in document UNEP/CHW.7/INF/17 and its addendum,

Welcoming the increase in the number of Parties to the Convention, and noting the need for greater technical and financial resources, both domestic and international, to assist the Parties to achieve more effective implementation, and the necessity to implement the various decisions of the Convention, including the Strategic Plan for the Implementation of the Basel Convention,

Welcoming the new programmatic structure of the Secretariat;

Recognizing that voluntary contributions are an essential complement for the effective implementation of the Basel Convention,

Noting the need to manage financial arrangements supporting the Basel Convention in a way that is fully transparent and effective;

Regretting that circumstances may lead to expenditure in the biennium 2003-2004 to exceed the authorized budget in contravention of the terms of reference for the administration of the trust funds for the Basel Convention;

Determined that in the future budgets and the said terms of reference should be fully respected;

Noting also the serious economic difficulties being experienced by certain Parties and stressing the need to allow for flexibility in the application of the UN scale of assessment to the Parties concerned;

1. *Requests* the Secretariat to prevent exceeding the approved budget in 2004 if possible;
2. *Approves* the budget of the Trust Fund for the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (Basel Convention Trust Fund) in the amount of US\$ 4,286,090 for 2005 and US\$ 4,404,740 for 2006, as contained in annex I to the present decision;
3. *Authorizes* the Executive Secretary to utilize an amount not exceeding US\$ 1,000,000 in the year 2005 and US\$ 600,000 in the year 2006 from the reserve and fund balance of the Basel Convention Trust Fund to meet expenditure in the approved budget;
4. *Authorizes* also the Executive Secretary to complete implementation of the core activities of the Strategic Plan for Implementation of the Basel Convention, as approved by the Conference of the Parties at its sixth meeting, for the biennium 2003–2004.
5. *Decides* that the total amount of the contributions to be paid by the Parties is US\$ 3,286,090 for 2005 and US\$ 3,804,740 for 2006, as set out in annex I to the present decision;
6. *Also decides* that the contributions of individual Parties shall be as listed in annex III to the present decision, which is based on the current United Nations General Assembly scale of assessments, modified so that no Party contributes less than 0.001 per cent of the total, no Party contribution exceeds 22 per cent of the total and no contribution from a least developed country Party exceeds 0.01 per cent of the total;
7. *Decides* to maintain the level of the working capital reserve at 15 per cent of the estimated annual planned expenditures at any time in the biennium 2005-2006;
8. *Decides* that the Executive Secretary may make transfers of up to 20 per cent from one main appropriation line of the approved budget to other main appropriation lines;
9. *Agrees* to review at its eight meeting, on the basis of a document to be prepared by the Secretariat, a plan that identifies the optimal means of balancing the Convention's operating funds and expenditures;
10. *Requests* that the budget presented to the eight meeting of the Conference of the Parties will be formatted according to the new programmatic structure of the Secretariat, on the basis of guidance provided by the open ended working group;

11. *Expresses* its concern over the delays in payment of the agreed contributions by Parties, contrary to the provisions of the terms of reference for the administration of the Trust Fund for the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, as contained in paragraph 8 of the terms of reference;

12. *Urges* all Parties to pay their contributions promptly and in full and further urges Parties that have not done so to pay their contributions for prior years as soon as possible;

13. *Requests* the Executive Secretary of the Secretariat to publish a list of contributions received to the Basel Convention and the Technical Cooperation Trust Funds on the website of the Convention and to keep this list up to date;

14. *Takes note* of the budget for the Trust Fund to Assist Developing Countries and Other Countries in Need of Technical Assistance in the Implementation of the Basel Convention (Technical Cooperation Trust Fund) in the amount of 17,868,398 United States dollars for 2005 and 12,297,011 United States dollars for 2006, as contained in annex II to the present decision;

15. *Invites* voluntary contributions to the Technical Cooperation Trust Fund and to the Basel Convention Trust Fund from Parties and non-Parties, as well as from other sources;

16. *Encourages* Parties, non-Parties and other stake holders to contribute financially and with other means to implement the Strategic Plan and related projects, and further encourage Parties and non-Parties to transmit these projects for consideration by the appropriate funding agencies.

17. *Invites* Parties to notify the Secretariat of the Basel Convention of all contributions made to the Basel Convention Trust Funds at the time such payments are made;

18. *Decides* that the trust funds for the Basel Convention shall be further continued until 31 December 2008 and requests the Executive Director of the United Nations Environment Programme to extend the two trust funds to the Basel Convention for 2007–2008, subject to the approval of the Governing Council of the United Nations Environment Programme;

19. *Requests* the Executive Secretary to provide Parties with an indication of the financial implications of draft decisions, which cannot be met from existing resources within the budget of the Basel Convention Trust Fund, at the time they are presented to the eight meeting of the Conference of the Parties;

20. *Requests* the Secretariat of the Basel Convention to ensure the implementation of the decisions adopted by the Conference of the Parties as approved, within the budgets and the availability of financial resources in the Trust Funds;

21. *Also requests* the Secretariat to report annually to the Open-ended Working Group and to the Expanded Bureau on all sources of income received, including the reserve and fund balance and interest, as well as actual provisional and projected expenditure and commitments, and further requests the Executive Secretary to report on all expenditures against the agreed budget lines;

22. *Also requests* the Open-ended Working Group and the Expanded Bureau to keep under review the financial information provided by the Secretariat, including the timeliness and transparency of that information.

Annex I

Budget

Basel Convention Trust Fund

Years 2005 -2006

	COP 6 budget	COP 7 budget		
	2004	2005	2006	Total
10 PERSONNEL COMPONENT				
<i>1100 Professional Staff (Title & Grade) ***</i>				
1101 Executive Secretary (D2)	157.500	211.000	211.000	422.000
1102 Deputy Executive Secretary (D1)	146.800	200.000	200.000	400.000
1103 Senior Programme Officer - Technical Cluster Matters (P5)	146.800	173.600	173.600	347.200
1104 Senior Programme Officer - Institutional/Sec. Legal WG (P5)	146.800	173.600	173.600	347.200
1105 First Programme Officer -Scientific Sec. TWG (P4)	130.000	150.200	150.200	300.400
1106 Programme Officer - National Reporting (P3)	108.000	124.400	124.400	248.800
1107 Programme Officer - Tech. Cooperation and Training (P4)	130.000	150.200	150.200	300.400
1108 Programme Officer - Public Awareness (P3)	108.000	124.400	124.400	248.800
1109 Administrative / Fund Management Officer (UNEP) **	-	-	-	-
1110 Associate Programme Officer - Computer Systems (P2)	87.600	96.200	96.200	192.400
1120 Temporary Posts for Conference Servicing (relates to COP7 together with line 1321)	50.000	10.000	10.000	20.000
1199 Sub-total, Professional Staff	1.211.500	1.413.600	1.413.600	2.827.200
<i>1200 Consultants</i>				
1201 Legal Advice, Support, Capacity-building / Technical Guidelines	135.000	100.000	100.000	200.000
1202 Capacity-building / Technical Guidelines	135.000	100.000	100.000	200.000
1203 Resource Mobilization / Partnerships	0	60.000	60.000	120.000
1299 Sub-total, Consultants	270.000	260.000	260.000	520.000

	COP 6 budget	COP 7 budget		
	2004	2005	2006	Total
1300 Administrative Support (Title & Grade) ***				
1301 Administrative Assistant (G6) **	-	-	-	-
1302 Personal Assistant to the Executive Secretary (G6)	85.200	118.400	118.400	236.800
1303 Meetings / Documents Assistant (G6)	85.200	118.400	118.400	236.800
1304 Personnel Assistant (G5)	85.200	92.100	92.100	184.200
1305 Programme Assistant (G5)	85.200	92.100	92.100	184.200
1306 Secretary (G5)	85.200	92.100	92.100	184.200
1307 Secretary (G5)	85.200	92.100	92.100	184.200
1308 Reproduction & Registry Clerk (G4)*	85.200	92.100	92.100	184.200
1309 Legal Assistant (G5)*	85.200	92.100	92.100	184.200
1310 Finance and Budget Assistant (G-6) **	-	0	0	0
1320 Temporary assistance posts (short term)	10.300	10.300	10.300	20.600
<i>Sub-total</i>	691.900	799.700	799.700	1.599.400
Conference Servicing Costs				
1321 Conference of the Parties (1 meeting per biennium in six languages, USD 10,000 pa charged against B/L 1120, total 620,000). Costed at 300 pages for translation. Carry over of COP funds to COP year).	500.000	250.000	350.000	600.000
1322 Open-ended Working Group 4 (translation of 200 pages or less and interpretation in 6 UN languages up to 18.00)	0	450.000	0	450.000
1323 Open-ended Working Group 5 (translation of 200 pages or less and interpretation in 6 UN languages up to 18.00)	0	0	450.000	450.000
1324 Open-ended Working Group 6 (translation of 300 pages and interpretation in 6 UN languages)	400.000	0	0	0
1325 Expanded Bureau (in English only - 2 meetings per biennium)	7.000	2.000	2.000	4.000
1326 Expert Group on end of life cycle mobile phones	3.000	0	0	0
1327 Mechanism for Implementation and Compliance (English only)	3.000	2.000	2.000	4.000
1399 Sub-total Administrative Support and Conference Servicing Costs	1.604.900	1.503.700	1.603.700	3.107.400

	COP 6 budget	COP 7 budget		
	2004	2005	2006	Total
1600 <i>Travel on Official Business</i>				
1601 Official Travel	200.000	150.000	150.000	300.000
1699 Total, Travel On Official Business	200.000	150.000	150.000	300.000
1999 TOTAL STAFF COMPONENT	3.286.400	3.327.300	3.427.300	6.754.600
20 SUB-CONTRACT COMPONENT				
2100 <i>Sub-contracts Component</i>				
2101 Information System	50.000	10.000	10.000	20.000
2199 Sub-total sub-contracts, non-commercial	50.000	10.000	10.000	20.000
2999 TOTAL SUB-CONTRACT COMPONENT	50.000	10.000	10.000	20.000
30 MEETINGS AND CONFERENCES				
3300 <i>Travel and DSA Costs of Participants</i>				
3301 Conference of the Parties	-	0	0	0
3302 Open-ended Working Group 4 (20 travels)		62.000	0	62.000
3303 Open-ended Working Group 5 (20 travels)		0	62.000	62.000
3304 Open-ended Working Group (50 travels)	175.000	0	0	0
3305 Expanded Bureau (some 14 travels)	51.555	43.400	43.400	86.800
3306 Mechanism for Implementation and Compliance (English only) - Two meetings over the biennium (10 travels/meeting)	0	31.000	31.000	62.000
3399 Sub-total Meetings and Conferences	226.555	136.400	136.400	272.800
3999 TOTAL MEETINGS AND CONFERENCES	226.555	136.400	136.400	272.800

		COP 6 budget	COP 7 budget		
		2004	2005	2006	Total
40	EQUIPMENT AND PREMISES COMPONENT				
4100	<i>Expendable Equipment</i>				
4101	Office Supplies, library acquisitions and computer software	24.500	24.500	24.500	49.000
4199	Sub-total, Expendable Equipment	24.500	24.500	24.500	49.000
4200	<i>Non-expandable equipment</i>				
4201	Computer Equipment, printers, furniture, multimedia and others	28.000	14.000	14.000	28.000
		28.000	14.000	14.000	28.000
4300	<i>Premises</i>				
4301	Office space fees, building maintenance, security, utilities and insurance	60.000	75.000	80.000	155.000
4399	Total, Premises	60.000	75.000	80.000	155.000
4999	TOTAL, EQUIPMENT AND PREMISES COMPONENT	112.500	113.500	118.500	232.000
50	MISCELLANEOUS COMPONENT				
5100	<i>Operation and Maintenance of Equipment</i>				
5101	Computers, Printers, photocopiers and other	51.300	71.300	71.300	142.600
5199	Sub-total, Maintenance of Equipment	51.300	71.300	71.300	142.600
5200	<i>Reporting costs</i>				
5201	Newsletters, publications and other media	55.000	55.000	55.000	110.000
5299	Sub-total, Reporting costs	55.000	55.000	55.000	110.000
5300	<i>Sundry</i>				
5301	Communications, freight and other (with carry over to COP year)	67.500	70.000	70.000	140.000
5399	Sub-total Sundry	67.500	70.000	70.000	140.000

	COP 6 budget	COP 7 budget		
	2004	2005	2006	Total
5400 Hospitality				
5401 Hospitality	9.500	9.500	9.500	19.000
5499 Sub-total Hospitality	9.500	9.500	9.500	19.000
5999 TOTAL, MISCELLANEOUS COMPONENT	183.300	205.800	205.800	411.600
99 TOTAL OPERATIONAL COSTS	3.858.755	3.793.000	3.898.000	7.691.000
Less UNEP Contribution	-137.300			
13% Programme Support Costs	480.399	493.090	506.740	999.830
TOTAL BUDGET OF THE TRUST FUND	4.201.854	4.286.090	4.404.740	8.690.830
Percentage increase from year to year		2.0%	2.8%	
Deduction from the Reserve and Fund Balance****	1.200.000	1.000.000	600.000	1.600.000
TO BE COVERED BY PARTIES	3.001.854	3.286.090	3.804.740	7.090.830
Percentage increase from year to year		9.5%	15.8%	
Percentage increase from biennium 2003 -2004 to biennium 2005 - 2006				18.1%
Required working capital reserve (15 %)		642.914	660.711	
		Reserve projection	2.268.210	
		Draw down of reserve	1.600.000	
		Working capital reserve (15 % of average budget)	668.210	

* Post proposed for reclassification due to changes in functions.

** Post funded from 13 per cent Programme Support Costs

*** Standard salary costs (Rev.12) of United Nations for 2005 are used.

**** The deduction may be reduced due to interest income and contributions from others than Parties.

Annex II

Budget

Technical Cooperation Trust Fund

Years 2005–2006

10 PERSONNEL COMPONENT

1100 Professional Staff (Title & Grade)

1111 Senior Programme Officer - Resource Mobilization / Partnerships (P5)

1199 Sub-total, Professional Staff

Consultants

1201 Compliance mechanism - Experts and advisers

Sub-total, Consultants

1600 Travel on Official Business

1601 Official Travel - Compliance mechanism, Information gathering missions

1699 Total, Travel On Official Business

1999 TOTAL STAFF COMPONENT

20 SUB-CONTRACT COMPONENT

2100 Sub-contracts Component

2101 Development and maintenance of web portals for information system of BCRC's

COP 6 budget	COP 7 budget	
2004	2005	2006
-	173.600	173.600
-	173.600	173.600
25.000	30.000	60.000
25.000	30.000	60.000
10.000	20.000	30.000
10.000	20.000	30.000
35.000	223.600	263.600
100.000	57.000	17.000

		COP 6 budget	COP 7 budget	
		2004	2005	2006
2102	Web access to national reporting database. (Previously: Assistance in Development of Information Systems for national reporting and HW management (40 Countries))	200.000	50.000	20.000
2103	<i>Projects for the implementation of the Strategic Plan</i>	250.000	8.492.102	3.930.179
2104	Projects for the Partnership Programme *	-	1.000.000	1.000.000
2150	Interim financial mechanism for the liability and compensation	500.000	500.000	500.000
2199	Sub-total sub-contracts	1.050.000	10.099.102	5.467.179
2999	TOTAL SUB-CONTRACT COMPONENT	1.050.000	10.099.102	5.467.179
3100	Training			
3101	<i>Technical Assistance and Technical Matters (Inputs from BCRC business plans) (In 2002 budget B/L called: Technical assistance to 10 Countries)</i>	375.000	1.370.285	644.361
3102	<i>Capacity Building (Inputs from BCRC business plans)</i>	935.000	2.750.255	2.217.171
3199	Sub-total training	1.310.000	4.120.540	2.861.532
3200	Group training			
3201	Regional / Sub-Regional Workshops and Seminars on Implementation of the Strategic Plan (5 meetings per biennium, 80 participants)	250.000	250.000	250.000
3202	Basel Convention Regional Centres (Inventories and National Legislations (13 Centres))	485.000	485.000	485.000
3203	(Assistance to Developing Countries in Development of Information System - please refer to B/L 2102)	-	-	-
3204	Workshops for Customs and Enforcement Officers on Prevention of Illegal Traffic, implementation plans of HW management.	340.000	400.000	400.000
3299	Sub-total Group training	1.075.000	1.135.000	1.135.000

	COP 6 budget	COP 7 budget	
	2004	2005	2006
3300 Meetings & Conferences			
3301 Conference of Parties (1 meeting per biennium)	770.000	-	770.000
3302 Open-ended Working Group 4	-	220.500	-
3303 Open-ended Working Group 5	-	-	371.000
3304 Open-ended Working Group	371.000	-	-
3307 Committee on Compliance Mechanism (budgeted in BC trust fund)	107.000	-	-
3308 Partnerships (Previously: Partnership with industry) (1 meeting per annum, 4 travels per meeting)	14.000	14.000	14.000
3399 Sub-total meetings and conferences	1.262.000	234.500	1.155.000
3999 TOTAL MEETINGS AND CONFERENCES COMPONENT	3.647.000	5.490.040	5.151.532
99 TOTAL OPERATIONAL COSTS	4.732.000	15.812.742	10.882.311
13% Programme Support Costs	615.160	2.055.656	1.414.700
TOTAL BUDGET OF THE TRUST FUND	5.347.160	17.868.398	12.297.011

* To provide for regional pilot projects funded by private sector and other stakeholders. Amounts are indicative only.

Annex III

Trust Fund for the Basel Convention on Transboundary Movements on Hazardous Wastes and Their Disposal

Scale of Contribution for the biennium 2005 - 2006 in United States dollars (USD)
based on proposed budget

A No.	B Parties	C United Nations scale of assessments 2005 - 2006 *		E Annual contributions as per 2005 (USD)	F Annual contributions as per 2006 (USD)
		(per cent)			
1	Albania	0.005	0.00646	212	246
2	Algeria	0.076	0.09819	3.227	3.736
3	Andorra	0.005	0.00646	212	246
4	Antigua and Barbuda	0.003	0.00388	127	147
5	Argentina	0.956	1.23513	40.587	46.993
6	Armenia	0.002	0.00258	85	98
7	Australia	1.592	2.05682	67.589	78.257
8	Austria	0.859	1.10981	36.469	42.225
9	Azerbaijan	0.005	0.00646	212	246
10	Bahamas	0.013	0.01680	552	639
11	Bahrain	0.030	0.03876	1.274	1.475
12	Bangladesh	0.010	0.01000	329	380
13	Barbados	0.010	0.01292	425	492
14	Belarus	0.018	0.02326	764	885
15	Belgium	1.069	1.38112	45.385	52.548
16	Belize	0.001	0.00129	42	49
17	Benin	0.002	0.00258	85	98
18	Bhutan	0.001	0.00129	42	49
19	Bolivia	0.009	0.01163	382	442
20	Bosnia and Herzegovina	0.003	0.00388	127	147
21	Botswana	0.012	0.01550	509	590
22	Brazil	1.523	1.96768	64.660	74.865
23	Brunei Darussalam	0.034	0.04393	1.443	1.671
24	Bulgaria	0.017	0.02196	722	836
25	Burkina Faso	0.002	0.00258	85	98
26	Burundi	0.001	0.00129	42	49
27	Cambodia	0.002	0.00258	85	98
28	Cameroon	0.008	0.01034	340	393
29	Canada	2.813	3.63432	119.427	138.276
30	Cape Verde	0.001	0.00129	42	49
31	Chad	0.001	0.00129	42	49
32	Chile	0.223	0.28811	9.468	10.962
33	China	2.053	2.65242	87.161	100.918
34	Colombia	0.155	0.20026	6.581	7.619

A No.	B Parties	C United Nations scale of assessments 2005 - 2006 *	Adjusted scale of contribution with 22 % ceiling and no LDC paying more than 0.01 per cent.	E Annual contributions as per 2005 (USD)	F Annual contributions as per 2006 (USD)
		(per cent)			
35	Comoros	0.001	0.00129	42	49
36	Cook Islands	0.001	0.00129	42	49
37	Costa Rica	0.030	0.03876	1,274	1,475
38	Cote d'Ivoire	0.010	0.01292	425	492
39	Croatia	0.037	0.04780	1,571	1,819
40	Cuba	0.043	0.05555	1,826	2,114
41	Cyprus	0.039	0.05039	1,656	1,917
42	Czech Republic	0.183	0.23643	7,769	8,996
43	Democratic Republic of the Congo	0.003	0.00388	127	147
44	Denmark	0.718	0.92764	30,483	35,294
45	Djibouti	0.001	0.00129	42	49
46	Dominica	0.001	0.00129	42	49
47	Dominican Republic	0.035	0.04522	1,486	1,720
48	Ecuador	0.019	0.02455	807	934
49	Egypt	0.120	0.15504	5,095	5,899
50	El Salvador	0.022	0.02842	934	1,081
51	Equatorial Guinea	0.002	0.00258	85	98
52	Estonia	0.012	0.01550	509	590
53	Ethiopia	0.004	0.00517	170	197
54	Finland	0.533	0.68862	22,629	26,200
55	France	6.030	7.79060	256,006	296,412
56	Gambia	0.001	0.00129	42	49
57	Georgia	0.003	0.00388	127	147
58	Germany	8.662	11.19107	367,749	425,791
59	Ghana	0.004	0.00517	170	197
60	Greece	0.530	0.68475	22,501	26,053
61	Guatemala	0.030	0.03876	1,274	1,475
62	Guinea	0.003	0.00388	127	147
63	Guyana	0.001	0.00129	42	49
64	Honduras	0.005	0.00646	212	246
65	Hungary	0.126	0.16279	5,349	6,194
66	Iceland	0.034	0.04393	1,443	1,671
67	India	0.421	0.54392	17,874	20,695
68	Indonesia	0.142	0.18346	6,029	6,980
69	Iran (Islamic Republic of)	0.157	0.20284	6,665	7,718
70	Ireland	0.350	0.45219	14,859	17,205
71	Israel	0.467	0.60335	19,827	22,956
72	Italy	4.885	6.31129	207,395	240,128
73	Jamaica	0.008	0.01034	340	393
74	Japan	19.468	22.00000	722,940	837,043
75	Jordan	0.011	0.01421	467	541
76	Kazakhstan	0.025	0.03230	1,061	1,229
77	Kenya	0.009	0.01163	382	442
78	Kiribati	0.001	0.00129	42	49
79	Kuwait	0.162	0.20930	6,878	7,963

A No.	B Parties	C United Nations scale of assessments 2005 - 2006 *	Adjusted scale of contribution with 22 % ceiling and no LDC paying more than 0.01 per cent.	E Annual contributions as per 2005 (USD)	F Annual contributions as per 2006 (USD)
		(per cent)			
80	Kyrgyzstan	0.001	0.00129	42	49
81	Latvia	0.015	0.01938	637	737
82	Lebanon	0.024	0.03101	1.019	1.180
83	Lesotho	0.001	0.00129	42	49
84	Libyan Arab Jamahiriya	0.132	0.17054	5.604	6.489
85	Liechtenstein	0.005	0.00646	212	246
86	Lithuania	0.024	0.03101	1.019	1.180
87	Luxembourg	0.077	0.09948	3.269	3.785
88	Madagascar	0.003	0.00388	127	147
89	Malawi	0.001	0.00129	42	49
90	Malaysia	0.203	0.26227	8.618	9.979
91	Maldives	0.001	0.00129	42	49
92	Mali	0.002	0.00258	85	98
93	Malta	0.014	0.01809	594	688
94	Marshall Islands	0.001	0.00129	42	49
95	Mauritania	0.001	0.00129	42	49
96	Mauritius	0.011	0.01421	467	541
97	Mexico	1.883	2.43279	79.944	92.561
98	Micronesia (Federated States of)	0.001	0.00129	42	49
99	Monaco	0.003	0.00388	127	147
100	Mongolia	0.001	0.00129	42	49
101	Morocco	0.047	0.06072	1.995	2.310
102	Mozambique	0.001	0.00129	42	49
103	Namibia	0.006	0.00775	255	295
104	Nauru	0.001	0.00129	42	49
105	Nepal	0.004	0.00517	170	197
106	Netherlands	1.690	2.18343	71.750	83.074
107	New Zealand	0.221	0.28553	9.383	10.864
108	Nicaragua	0.001	0.00129	42	49
109	Niger	0.001	0.00129	42	49
110	Nigeria	0.042	0.05426	1.783	2.065
111	Norway	0.679	0.87725	28.827	33.377
112	Oman	0.070	0.09044	2.972	3.441
113	Pakistan	0.055	0.07106	2.335	2.704
114	Panama	0.019	0.02455	807	934
115	Papua New Guinea	0.003	0.00388	127	147
116	Paraguay	0.012	0.01550	509	590
117	Peru	0.092	0.11886	3.906	4.522
118	Philippines	0.095	0.12274	4.033	4.670
119	Poland	0.461	0.59560	19.572	22.661
120	Portugal	0.470	0.60723	19.954	23.103
121	Qatar	0.064	0.08269	2.717	3.146
122	Republic of Korea	1.796	2.32038	76.250	88.285
123	Republic of Moldova	0.001	0.00129	42	49
124	Romania	0.060	0.07752	2.547	2.949

A No.	B Parties	C United Nations scale of assessments 2005 - 2006 *	Adjusted scale of contribution with 22 % ceiling and no LDC paying more than 0.01 per cent.	E Annual contributions as per 2005 (USD)	F Annual contributions as per 2006 (USD)
		(per cent)			
125	Russian Federation	1.100	1.42117	46.701	54.072
126	Rwanda	0.001	0.00129	42	49
127	Saint Kitts and Nevis	0.001	0.00129	42	49
128	Saint Lucia	0.002	0.00258	85	98
129	Saint Vincent and the Grenadines	0.001	0.00129	42	49
130	Saudi Arabia	0.713	0.92118	30.271	35.048
131	Samoa	0.001	0.00129	42	49
132	Senegal	0.005	0.00646	212	246
133	Serbia and Montenegro	0.019	0.02455	807	934
134	Seychelles	0.002	0.00258	85	98
135	Singapore	0.388	0.50129	16.473	19.073
136	Slovakia	0.051	0.06589	2.165	2.507
137	Slovenia	0.082	0.10594	3.481	4.031
138	South Africa	0.292	0.37726	12.397	14.354
139	Spain	2.520	3.25577	106.988	123.874
140	Sri Lanka	0.017	0.02196	722	836
141	Sweden	0.998	1.28939	42.370	49.058
142	Switzerland	1.197	1.54649	50.819	58.840
143	Syrian Arab Republic	0.038	0.04909	1.613	1.868
144	Thailand	0.209	0.27002	8.873	10.274
145	The former Yugoslav Republic of Macedonia	0.006	0.00775	255	295
146	Togo	0.001	0.00129	42	49
147	Trinidad and Tobago	0.022	0.02842	934	1.081
148	Tunisia	0.032	0.04134	1.359	1.573
149	Turkey	0.372	0.48061	15.793	18.286
150	Turkmenistan	0.005	0.00646	212	246
151	Uganda	0.006	0.00775	255	295
152	Ukraine	0.039	0.05039	1.656	1.917
153	United Arab Emirates	0.235	0.30361	9.977	11.552
154	United Kingdom of Great Britain and Northern Ireland	6.127	7.91592	260.124	301.180
155	United Republic of Tanzania	0.006	0.00775	255	295
156	Uruguay	0.048	0.06201	2.038	2.359
157	Uzbekistan	0.014	0.01809	594	688
158	Venezuela (Bolivarian Republic of)	0.171	0.22093	7.260	8.406
159	Viet Nam	0.021	0.02713	892	1.032
160	Yemen	0.006	0.00775	255	295
161	Zambia	0.002	0.00258	85	98
162	European Community	2.500	2.50000	82.152	95.119
	Subtotal	80.408	100.00000	3.286.077	3.804.735
	Rounding error			13	5
	TOTAL			3.286.090	3.804.740

VII/42. Date and venue of the eighth meeting of the Conference of the Parties

The Conference of the Parties,

Recalling article 15 of the Basel Convention, which states that “ordinary meetings of the Conference of the Parties shall be held at regular intervals to be determined by the Conference at its first meeting”,

Recalling also decision I/1, in which the Conference adopted the rules of procedure for meetings of the Conference of the Parties, rule 4 of which provides that “[o]rdinary meetings of the Conference of the Parties shall be held every other year, unless the Parties decide otherwise” and that “[a]t each ordinary meeting, the Conference shall decide on the date and duration of the next ordinary meeting”,

Recognizing the benefits that may accrue to the Convention and to Parties, particularly those with developing economies, that host meetings of the Conference of the Parties in different regions of the world,

1. *Notes* with appreciation the interest of the Government of Kenya in hosting the eighth meeting of the Conference of the Parties to the Convention;

2. *Requests* the Executive Secretary to enter into consultations with the Government of Kenya with a view to agreeing on satisfactory arrangements and concluding a host country agreement for hosting the eighth meeting of the Conference of the Parties;

3. *Decides* that, subject to the satisfactory conclusion of consultations between the Government of Kenya and the Executive Secretary on arrangements for the eighth meeting of the Conference of the Parties, the eighth meeting shall be held in Kenya from 27 November to 1 December 2006.

Annex II

Statements by Australia and Canada on analysis of issues related to Annex VII

Statement by Australia

Parties will be aware of Australia's longstanding concerns about Annex VII, which we have put forward often both at meetings and in written comments.

At the heart of Australia's concerns is the arbitrary nature of Annex VII membership, which is currently decided by membership of the OECD or EU, and we note that membership of the Annex has grown by 10 since adoption of decision III/1 without any oversight or decision by the Committee.

Annex VII was first established as a group of countries that could be relied on to manage hazardous waste in an eminently sound manner. To my delegation, only criteria that relate directly to such objectives make any sense. The current criteria, such as they are, seem arbitrary and discriminatory. While they remain, Australia will not consider ratification of the Ban Amendment.

Despite these concerns, and despite our strong dissatisfaction with the incomplete and inadequate nature of the analysis, we have reluctantly accepted that no further progress is likely to be made by the Parties, and that no further analysis of the Annex VII issues should be undertaken.

We ask that these comments are annexed to the decision.

Statement by Canada

Canada recognizes that the adoption of the decision regarding the study of Annex VII marks the end of a process that Canada supported. While the study is insufficient/incomplete in providing the necessary information for countries to make an informed decision on whether they should ratify the instrument, Canada does not object to the adoption of the decision. We are of the view that some information for Parties is a starting point.

Canada has not ratified the amendment. Canada has not opposed the adoption of the decision to impose a ban amendment but made a statement to the effect that it considers it inappropriate for the Conference of the Parties to require OECD states to impose an export ban on trade with all non-OECD States in the absence of a specific request from each developing State affected by the decision. Canada continues to believe that the Ban Amendment does not make any distinction between wastes destined for final disposal and those destined for legitimate recycling operations, including those recycling operations that can lead to both environmental and economic benefit.

Mr. President, since the amendment was first negotiated, circumstances in many countries have changed. As noted in the 2001 OECD Environmental Outlook for the Chemicals Industry, a number of developing countries have demonstrated a high standard of environmental performance through the adoption of environmentally sound management (ESM) practices. Advancing work on ESM practices in the context of the Basel Convention can only assist countries to implement the provisions contained within the Ban Amendment. It is critical to the success of meeting the Basel Convention objectives that work continue on ESM in order to encourage Parties to implement recovery facilities to ensure that they meet high environmental standards irrespective of the country. Some developing countries have already demonstrated a high standard of environmental performance through the adoption of ESM practices. We think that it is important to recognize the efforts undertaken by these countries.

In this regard, regardless of the country, we think that the Ban Amendment should also take into account the availability of state-of-the-art facilities, facilities that can manage wastes in an environmentally sound manner. A developing country investing in a capital project to build a state-of-the-art facility, consistent with the principles of environmentally sound management, should be entitled to have access to global feedstocks in order to remain competitive within the lucrative recycling market.

Mr. President, we are asking that our statement be attached to the decision and reflected in the report of the meeting. We hope that delegations will reflect on our statement once they return to their capitals

with a view to incorporating this type of work in the programme of activities of the Open-ended Working Group. We think that it would be important for the Convention to look at these issues, in particular, to assist countries in their pursuit of funding from global financial institutions to invest in new technologies. As everyone knows, financial institutions not only require certain written guarantees that the technology meets international standards but also that the country has access to a supply of materials in order to make the recycling operations environmentally sound and economically viable.

Annex III

Draft decision on resource mobilization

The Conference of the Parties,

Noting with gratitude the valuable work on preparation of the guidance note on resource mobilization generously funded by the Government of Denmark,

Welcoming the information paper prepared by the Secretariat in consultation with the Expanded Bureau on a possible resource mobilization strategy for the Basel Convention entitled “Mobilizing Resources for a Cleaner Future”,

Recognizing that effective implementation of the Basel Convention Strategic Plan and improved capacity for developing countries and countries with economies in transition requires an effective resource mobilization strategy,

Acknowledging that the environmentally sound management of wastes is recognized as an important component of improving health and the productivity of ecosystems and that it is therefore strongly linked to the achievement of the Millennium Development Goals and the World Summit on Sustainable Development targets,

1. *Commends* the guidance note and associated fact sheets on possible funding sources for the environmentally sound management of wastes funded by the Government of Denmark for active use by Parties with a view to strengthening their capacity for the implementation of the Convention;

2. *Agrees* with the objectives for an effective resource mobilization strategy as set out in the information paper, namely:

(a) Improvements in the readiness of developing country Parties and Parties with economies in transition to engage and work effectively with international and bilateral financial aid agencies;

(b) Improved receptivity within multilateral and bilateral financial aid institutions for proposals that address directly and indirectly the environmentally sound management of wastes;

(c) Improvements in strategic coordination and cooperation between related multilateral environmental agreements at the international and national levels to meet increasing expectations of donors to maximize co-benefits and efficiencies in the implementation of these agreements;

3. *Agrees* that resource mobilization is primarily the responsibility of Parties in need of assistance, in cooperation with development agencies;

4. *Urges* all Parties:

(a) To explore the scope for increasing domestic investment in the environmentally sound management of wastes in developing countries and countries with economies in transition, including through innovative sources of financing involving the private sector;

(b) To improve awareness within multilateral and bilateral financial aid institutions about the interdependencies between the environmentally sound management of wastes and other priority global sustainable development objectives such as poverty reduction, human health protection, fresh water conservation, sustainable production and consumption and other multilateral environmental agreements;

(c) To examine their country assistance strategies, sustainable development strategies and poverty reduction strategies (where such strategies exist) with the objective of ensuring that the environmentally sound management of wastes is a clearly articulated priority in those strategies;

(d) To work, with the support of the Secretariat where necessary, to develop concrete proposals for consideration by financial aid institutions based on their national priorities;

(e) To actively seek opportunities to improve coordination of multilateral environmental agreement-related implementation activities at the national level, including in the development of proposals and implementation of projects;

(f) To report to the Conference of the Parties at its eighth meeting on results achieved to date in the implementation of this decision;

5. *Invites* international financial institutions and bilateral donors to give greater consideration to the environmentally sound management of wastes in programming support to developing countries and countries with economies in transition to meet the Millennium Development Goals and World Summit on Sustainable Development targets;
6. *Highlights* the possibility for the Basel Convention regional centres to present projects for the implementation of their business plans directly to donor agencies and invites the Basel Convention regional centres to increase their contacts with donor agencies in this regard;
7. *Stresses* that the Secretariat has a facilitating role in the resource mobilization strategy and should concentrate on promoting direct links between Parties in need of assistance and development agencies;
8. *Requests* the Secretariat, subject to the availability of resources, to facilitate resource mobilization by:
 - (a) Disseminating national experiences and best practices in mobilizing domestic and international resources for the environmentally sound management of wastes;
 - (b) Raising awareness of developing countries and countries with economies in transition that are Parties to the Convention on the steps they can take at the national level to finance the environmentally sound management of wastes from national resources and through innovative mechanisms involving the private sector, and to improve their readiness to request and receive financial assistance for the environmentally sound management of wastes, emphasizing mainstreaming waste management priorities in national policy frameworks such as country assistance strategies, and identifying and describing national priority capacity-building needs for the environmentally sound management of wastes;
 - (c) Assisting Parties in improving awareness within multilateral and bilateral financial aid institutions about the interdependencies between the environmentally sound management of wastes and other priority global sustainable development objectives,
 - (d) Assisting interested Parties with the development of proposals to be submitted to financial aid institutions, and documenting and sharing this accumulated experience with the Parties;
 - (e) Working with existing cooperative mechanisms between environmentally sound management secretariats and international organizations to maximize opportunities for strategic cooperation, including in the development of proposals and implementation of projects;
 - (f) Continuing the implementation of the Basel Convention Partnership Programme with a view to strengthening and sustaining the programme based on voluntary contributions;
9. *Further requests* the Secretariat to give priority to assisting developing countries Parties to develop proposals on the disposal of wastes consisting of, containing or contaminated with persistent organic pollutants, taking into account relevant technical guidelines;
10. *Also requests* the Secretariat to submit a paper on behalf of the Basel Convention to the first meeting of the Conference of the Parties to the Stockholm Convention on Persistent Organic Pollutants, on the potential for collaborative work between the conventions on resource mobilization for the disposal of such waste;
11. *Further requests* the Secretariat to report to the Conference of the Parties at its eighth meeting on results achieved to date in the implementation of this decision, and to make recommendations for further action, including in relation to the strategic approach to international chemicals management initiative.

Annex IV

Message from the Secretary-General to the Conference of the Parties of the Basel Convention on the occasion of its seventh meeting

The Basel Convention, adopted fifteen years ago, establishes an international regime regulating transboundary movements of hazardous and other wastes. That regime is operating successfully worldwide, reinforced by a unique compliance mechanism and a protocol on liability and compensation. I commend all Parties to the Convention for their efforts to make it a truly effective instrument.

While regulating waste movement is vital, our world must also tackle the production of hazardous and other wastes at their source. Parties to the Convention report that over 300 million tons are generated each year. The actual global total is probably much higher. Our world is generating more and more hazardous and other waste each year, and it is increasingly intermingled with municipal and household wastes. Waste generation has therefore become a global challenge.

We can only address that challenge through partnerships, innovative thinking and cooperation at all levels. We must shift from “end-of-pipe” solutions to an integrated life-cycle approach – one that encompasses generation, storage, transport, treatment, recycling, recovery and final disposal. The 1999 Basel Ministerial Declaration on environmentally sound management and the 2002 Strategic Plan for the Implementation of the Basel Convention provide a global platform for such an approach. All should make full use of them.

If the world is to ensure environmental sustainability, as envisaged in the Millennium Development Goals, multilateral environmental agreements such as the Basel Convention must be implemented. I therefore call on all States to work together, and to provide the necessary resources, to strengthen the capacity of developing countries and those with economies in transition, and to support the 13 Basel Convention regional centres. And I assure you that the United Nations will continue to play its part in meeting the global waste challenge.

In that spirit, I wish you a very successful meeting.

Annex V

Ministerial statement on partnerships for meeting the global waste challenge

We, the ministers and heads of delegations from the Parties to the Basel Convention on the Transboundary Movement of Hazardous Wastes and their Disposal and other States present on the occasion of the seventh meeting of the Conference of the Parties to the Convention, share concerns and a sense of urgency regarding the unprecedented growth in the generation of hazardous wastes and the challenge posed to countries and regions in managing these wastes in an environmentally sound manner. Bearing this mind, we have discussed and exchanged views on the issue of building partnerships for meeting the global waste challenge.

Experience with the Basel Convention suggests that today's global waste challenge is shaped in large part by several interrelated issues, namely: (a) the rapid accumulation of hazardous wastes and other wastes and the lack of their environmentally sound management in urban settlements, which represent growing concerns for human health and the environment (b) the particular vulnerability of the poor, including children; (c) the sheer volume of wastes and the lack of segregation of hazardous from non-hazardous wastes, which is overwhelming national capacities to cope; (d) the siting of new facilities for hazardous waste and other waste disposal, which is becoming difficult and expensive; (e) the rise of end-of-life equipment as the fastest growing waste stream worldwide.

The achievement of the goals set forth in the Basel Convention and the enhancement of its role will help to deliver significant benefits with global reach:

- (a) The reduction of detrimental impacts on human health, in particular on the poor;
- (b) A lower risk of diseases, injuries and work-related accidents;
- (c) A direct positive impact on reducing levels of land and air pollution, as well as of water contamination;
- (d) A direct effect on the reduction or prevention of the degradation of fisheries in rivers and oceans resulting from the discharge of pesticides, industrial pollution or leachate of hazardous substances;
- (e) A lower risk of food contamination by persistent organic pollutants and heavy metals;
- (f) In the case of the sound management of biomedical or healthcare wastes, an important contribution to the fight against diseases;
- (g) A general improvement in the quality of life of vulnerable sectors of the population, especially in developing countries.

Action at source is the most effective means of protecting our environment from the generation of wastes and their mismanagement, eliminating costly waste disposal, reducing transboundary movements and promoting sustainable development. That is why we choose waste minimizations as the focus for the 2005–2006.

The challenge is to promote a fundamental shift in emphasis from remedial measures to preventive measures such as reduction at source, reuse, recycling and recovery. This new emphasis not only supports demands for a changing world, it is the most promising way forward to deal with hazardous and other wastes in an environmentally sound manner. It is also good for business.

We recognize the need to promote actively sustainable patterns of consumption and production, including through corporate responsibility and accountability, based on the Rio principles and in accordance the Plan of Implementation of the World Summit on Sustainable Development.

We also recognize the need for close cooperation with other relevant international organizations and conventions in the field of chemicals and waste, in particular the 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, bearing in mind the importance of the life-cycle approach.

We renew our commitment to enhance and strengthen our efforts to further reduce the amount of transboundary movements of hazardous and other waste.

We must not lose the forward momentum gained during 2000–2004 in implementing the Basel Declaration on Environmentally Sound Management and the Strategic Plan for the Implementation of the Basel Convention.

We agree that Parties and other States present, working in close cooperation with their existing and new partners, need to take the following course of action:

1. To endeavour to reduce the generation of hazardous waste, including to reduce the quantity of hazardous and other waste going to final disposal;
2. To consider setting their own targets for waste minimization, individually or in collaboration with others within a specific region, and to report on progress to the Conference of the Parties through the Secretariat;
3. To adopt a partnership approach when dealing with priority waste streams such as persistent organic pollutant wastes, electrical and electronic wastes, household wastes mixed with hazardous wastes, biomedical and healthcare wastes and lead acid batteries;
4. To encourage North-South cooperation, based on the Rio principles, and South-South and private-public coalition as key elements of partnership for meeting the global waste challenge;
5. To review waste streams of concern in their countries and regions and identify priority waste streams for reduction initiatives in the context of the Basel Convention, in partnership with stakeholders and Basel Convention regional centres;
6. To devote more efforts to:
 - (a) Building sustainable partnerships between Parties and all stakeholders;
 - (b) Networking among Parties and Basel Convention regional centres for information exchange and information clearing house functions;
 - (c) Strengthening and promoting the active involvement of the Basel Convention regional centres;
 - (d) Strengthening national capacities to segregate hazardous from non-hazardous wastes;
 - (e) Identifying cleaner production methods that reduce or eliminate the generation of hazardous wastes;
 - (f) Promoting the development of environmentally sound technologies and their transfer to developing countries;
 - (g) Mobilizing new and additional financial resources, including by using existing multilateral financial institutions and mechanisms.

We believe that building partnerships for meeting the global waste challenge will contribute to the implementation of Agenda 21 and the Johannesburg Plan of Implementation. Partnerships will bring benefits for all. We reaffirm our commitment to engage in them. We, therefore, encourage Parties and other stakeholders, particularly multilateral financial institutions, to mobilize additional financial resources that are predictable and sustainable for the implementation of this statement.
