



# United Nations Environment Programme

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PROGRAMME DES NATIONS UNIES POUR L'ENVIRONNEMENT • PROGRAMA DE LAS NACIONES UNIDAS PARA EL MEDIO AMBIENTE  
ПРОГРАММА ОРГАНИЗАЦИИ ОБЪЕДИНЕННЫХ НАЦИЙ ПО ОКРУЖАЮЩЕЙ СРЕДЕ

## **Address by Jorge Illueca, Assistant Executive Director – UNEP, to the Fifth Conference of the Parties to the Basel Convention, 6-10 December 1999, Basel**

A decade ago hazardous waste traders were brazenly shipping toxic substances around the world, from North America to Africa, from Europe to South America. In Europe, a hazardous waste shipment crossed a frontier every five minutes.

Much has been achieved since international outrage led to the signing of the Convention. The Convention has, through the decisions adopted by the Conference of the Parties, become a truly global solution for managing hazardous wastes. It has clearly advanced the cause of protecting human health and the environment. As we deliberate over technical matters, we should not forget this. The Basel Convention is, essentially, about protecting our land and water from contamination. It is about ensuring that the planet we hand over to our children will be habitable.

I am happy to report that we have made progress on a number of fronts:

- (1) The development of lists of wastes by the Technical Working Group, now incorporated into the Convention as Annex VIII and Annex IX, has clarified the scope of the Convention. This is a major achievement and should be recognized by all stakeholders (Governments, industry, Environmental NGOs).
- (2) The effective implementation of the control system of the Convention through its prior written notification procedure is a major step forward in building global harmonized system for the control of waste and a powerful tool to achieve the aims of the Convention.
- (3) The 1995 ban amendment which still has been ratified by only 17 of the needed 62 Parties to enter into force represents a critical tool to prohibit exports of hazardous wastes from developed to developing countries. Already now, statistics show a new decrease of transboundary movement for final disposal since 1993.

But hazardous waste continues to poison our land and water. It continues to be spilled and dumped and disposed of in unsound ways. It continues to be injected into the ground. It continues to leak into our water supply.

Clearly, although we have much to be proud of, we need to work with our traditional partners and new ones, with industry and governments, to address the remaining issues before us.

In particular, I wish to emphasize the following issues:

- (1) The need to arrive at a fully comprehensive control system that brings transparency in transboundary movements of the wastes subject to the Basel Convention.
- (2) The need to build up mechanism(s) for the prevention and monitoring of illegal traffic in hazardous wastes.

- (3) The need to meet the specific needs and priorities of developing countries in enabling them to effectively implement the Basel Convention and to manage the hazardous wastes they generate in an environmentally sound manner.
- (4) The need to collect, organize and disseminate information on the amount of hazardous wastes generated, including the export and import of such wastes among developed countries, between developed and developing countries, and among developing countries. Equally important is to collect and disseminate information on treatment and disposal facilities and related technologies worldwide, and on the impact of these wastes on human health and the environment.
- (5) The need to operate the review mechanism for the placement or removal of wastes on the lists Annex VIII (which are wastes characterized as hazardous in the Convention) and Annex IX (wastes normally not covered by the Convention) we must take into account technological changes, scientific discoveries and new industrial processes.

One of the main areas that requires more attention concerns the monitoring and prevention of illegal traffic in hazardous wastes. Another area concerns the collection and collation of information on key issues such as export or import of hazardous wastes, or their generation. And, naturally, the support to developing countries to build-up their capability and capacity to manage the wastes they generate in an environmentally sound manner remains minimal due, in particular, to the lack of financial resources committed by developed countries and relevant intergovernmental bodies.

How do we see the future? There are two divergent forces that shape the Basel Convention, one centripetal the other centrifugal. The work undertaken to clarify the scope of the Basel Convention, through an improved classification of wastes and refinement of their hazard characterization, deepens the understanding of the legal instrument. This work makes the Convention self-contained. The other force is represented by the activities carried out on the environmentally sound management of wastes and hazardous wastes. This work is enlarging the focus of the Convention to address a wider spectrum of issues, including wastes of concern or presenting particular problems. It captures an open range of activities from industry processes, product designs and consumer patterns to technical know-how, and scientific or technological innovations.

As a baseline, each country needs to have both the capacity and capability to address the issue of the generation, treatment, storage, transport, disposal and recovery of hazardous wastes, and enforce its legislation in this field. However, the needs vary greatly from countries that have developed a waste management system from those that have not. The perception of the needs and responses could be far apart. For instance, countries that are vulnerable to import of hazardous wastes because of lack of adequate infrastructure and institutional set up, rely heavily on prohibition of both import and export. Such prohibition could be a subject of inconvenience for countries with developed infrastructure and enforcement capabilities as it may hamper existing trade in wastes and hazardous wastes.

The perception of what the Convention should be in the future is also subject to divergent views. Developed countries are primarily looking for transparency in transboundary movements of wastes and hazardous wastes. To achieve this, priority is given to getting appropriate data on generation, export/import and where the waste is going and what happens to it. The focus on regulating facilities becomes a critical factor in the whole process. In contrast, inadequate knowledge of the wastes, lack of inventories on generation, difficulties in controlling import, lack of facilities to store, treat or dispose of wastes require that priority be given especially in developing countries to training and capacity building. Responding to the needs of Parties requires therefore a bipolar strategy, ie: to pursue the clarification process and provide authorities with the required elements for classifying or characterizing wastes, as well as to carry work on environmentally sound management of wastes and hazardous wastes.

The Convention contains all the required elements to enable the world community to come to grasp with the worldwide issue of hazardous wastes: from control of transboundary movement, prohibition of export or import, prevention and monitoring of illegal traffic; collection of data; technical cooperation to transfer of know-how and technologies to reduce harm to human health and the environment, eg, through minimization of the generation of hazardous wastes. It provides for the possibility to decentralize critical aspects of its implementation, in particular through the establishment of regional centres for training and technology transfer. In short, the Convention is both an international instrument regulating transboundary movements of wastes and hazardous wastes, and a programme of action aimed at building-up the capacity and capability of States Parties to the Convention to meet their obligations under the Convention.

In these 3 days of the preparatory segment, you will have to review the full set of proposed decisions that would be adopted by the Conference, including the budget for the years 2001 and 2002. A very important step will be made by adopting the Declaration on the challenges for the next decade of the Basel Convention and further drafting will take place so that a finalized text of the Declaration could be presented at the high level segment and adopted. A milestone in the life of the Basel Convention and the very wise concern of Parties and other stakeholders to move into the practical implementation of the concept of environmentally sound management, encompassing hazardous waste minimization.

Let us turn now our attention to the agenda for this meeting. A very daunting task awaits you in the next few days. Very critical issues need further consideration, I refer in particular to the negotiation on the protocol on liability and compensation. It would be a major advancement for international law and for improving the protection of victims from incidents due to transboundary movement or disposal of hazardous wastes. This protocol will complete the set of tools required to ensure the protection of the environment and human health as required by the Basel Convention. The expectation is high and we should strive to meet such expectations. The adoption of the protocol by this meeting is a hope many of us share and I know you will spare no efforts to do the best for the Convention.

I am convinced that your concerted efforts will provide the Basel Convention with the necessary tools and resources to make this Convention stronger and more effective in the new century.