



Distr.: General
11 July 2011

English only

**Conference of the Parties to the Basel Convention
on the Control of Transboundary Movements of
Hazardous Wastes and Their Disposal
Tenth meeting**

Cartagena, Colombia, 17–21 October 2011

Item 3 (a) (i) of the provisional agenda**

**Matters related to the implementation of the Convention:
strategic issues: new strategic framework**

New strategic framework for the implementation of the Basel Convention for 2012-2021

Means of Implementation

Note by the Secretariat

Introduction

1. The Strategic Framework provides Parties with the road map they need to pursue a strategic direction supported by a set of performance indicators. There are key components to support the implementation. These are: resources; adequate structure; and a system of progress tracking and monitoring based on agreed milestones that should be achieved within a specific time frame.
2. Implementation calls for engaging action to reach a completion of the tasks necessary to fulfill the strategic Goals and Objectives. For each Goal there might be a need to develop a programme of support, including financial projections and a resource mobilization plan, over a time bound period. An overview Action Plan encompassing the three strategic Goals Action Plans might be conceived, agreed upon by and reviewed at each meeting of the Conference of Parties (COP).
3. The Strategic Framework is the basic instrument for the implementation of the Convention during 2012-2021. Consequently, it should remain a stable and focussed document which would require political commitment, adequate capacity and resources in order to achieve the set Goals and Objectives. Actions to execute the Strategic Framework should be agreed upon by Parties in the context of regular COP decisions. At COP10 linkages with the programme-budget should be articulated. The means of implementation should be realistic, targeted and compatible with identifiable and appropriate resources. The Strategic Framework should be consistent with earlier COP decisions and take into account related work under the Convention.

* Reissued for technical reasons on 5 August 2011.

** UNEP/CHW.10/1.

I. Strategic components

4. A number of key interrelated components can be identified that are essential to implement the Strategic Framework. These components are:

- (a) Having an organizational system necessary to turn the Strategy into reality;
- (b) Establishing a strategy-supportive budget projection;
- (c) Organizing the administrative support systems (coordination, communication, etc.) to assist and facilitate implementation.

5. These elements should help in selecting an appropriate approach to implementing the Strategy, to identifying measurable, mutually determined annual objectives and proposing the development and communication of concise policies to guide decisions.

6. Enabling factors will include the identification of responsibilities for strategic implementation. For instance the COP might provide guidance and direction on the level of implementation and the desired outcome for achieving the set Goals. The COP will have the overall oversight responsibility while the Secretariat will get involved in coordination, communication and building partnerships. The Basel Convention Coordinating and Regional Centres (BCRCs) will be responsible for regional implementation and intra-regional cooperation. Parties will be responsible for domestic or national implementation with the support of selected stakeholders.

II. Implementation needs

7. The use of the Strategic Framework to improve the implementation of the Basel Convention will happen in a context that sees the interaction of number of mutually supportive activities undertaken by Parties, the Secretariat and the BCRCs. The means of implementation could be supported by three main set of activities, namely:

- (a) To launch or contribute to strategic and operational partnerships and cooperation with public and private stakeholders to leverage the impact of the Basel Convention, to raise the profile of hazardous waste and waste issues in international fora, to promote public-private partnerships, and to strengthen the operation of the BCRCs;
- (b) To enhance cooperation and coordination among the Basel, Rotterdam and Stockholm Conventions as well as with SAICM and other chemicals and waste-related conventions, protocols or programmes and relevant international and regional organizations and bodies;
- (c) To mobilize resources for implementing the Strategic Framework and to enhance capacity for sustainable domestic resources mobilization including through the use of economic instruments; to facilitate cooperation with international and bilateral donors; to exchange best practices and lessons learnt among Parties.

8. Achieving the goals and objectives of the Strategic Framework requires adequate capacity and resources recognizing the needs of developing countries and countries with economies in transition with a special consideration for Small Island Developing States. The implementation of the agreed Goals and Objectives of the Strategic Framework is based on the recognition that the Parties to the Basel Convention are not at the same level of development.

A. Needs expressed by Parties

9. The needs expressed by Parties so far for executing the Strategic Framework can be split into the following categories:

- (a) Mobilizing resources;
- (b) Financial mechanism (access to multilateral funding organisations);
- (c) Raising awareness at the national, regional and global level;
- (d) Technical assistance, training, capacity building, transfer of technology and international cooperation;
- (e) Synergies with relevant institutions, organizations and initiatives, including enhanced cooperation and coordination among the Basel, Rotterdam and Stockholm Conventions;
- (f) Partnerships (public and private);

- (g) Reinforcing the Basel and Stockholm Conventions regional and coordinating centres and their networking;
- (h) Strengthening of the Compliance Committee.

III. Implementation challenges

10. The activities to implement the Strategic Framework will be agreed upon at each COP during the 10 year period. However, these activities need to be organized, streamlined and programmed. To do this, there is a need to identify the means by which to conceive, develop and execute these activities to respond to Parties' needs and their individual capacity to implement. Implementation of the Strategic Framework will require increased efforts both by each Party and collectively, including the mobilization of resources from within Parties as well as through international cooperation. The means of implementation is inscribed into the wider context of existing development efforts that embody poverty reduction strategies.

11. There are different levels of means of implementation:

A. UNEP consultative process on financing options for chemicals and wastes

12. The Executive Director of UNEP has launched an initiative on the funding of chemicals and waste that bears relevance to the implementation of the Strategic Framework. The process was initiated with a meeting, held in Nairobi in July 2009, at which participants called upon UNEP to undertake a consultative process to explore the funding and support needs of developing countries and countries with economies in transition and relevant ways to support compliance with chemicals and wastes related multilateral environment agreements and capacity-building, including institutional strengthening and technical assistance for promoting the sound management of chemicals and wastes in broader terms. The Strategic Framework could benefit from the potential sources of funds that are being discussed through the consultative process.

13. The UNEP consultative process, if successfully pursued, offers the advantage of creating synergies in the financing realm that are likely to mirror and reinforce synergies on the technical and policy side between the chemicals and waste MEAs.

14. At the fourth meeting in the consultative process on financing options for chemicals and wastes in May 2011, the following 4 tracks were considered:

Track 1: Mainstreaming Sound Management of Chemicals and Hazardous Wastes

Mainstreaming is not a source of funding per se but a process that can act as a catalyst for efforts to secure complementary funding for the chemicals and wastes agenda, allowing access to funds previously not assigned to chemicals and wastes to support the other tracks and overall longer-term sustainability.

Track 2: Industry Involvement, including public-private partnerships and the use of economic instruments at national and international levels

Industry involvement can yield significant financing for the implementation of a sound chemicals and wastes agenda through the internalization of costs resulting from regulatory and voluntary initiatives. Fair, transparent and proportionate fees could be raised. Significant untapped resources through public-private partnerships and economic instruments should be explored.

Track 3: New Trust Fund similar to the Multilateral Fund

A new fund could enable more direct governance, allowing for direct accountability to the conferences of the parties to the various multilateral environmental agreements. It could be directly linked to performance indicators and targets. Direct accountability to the conferences of the parties would strengthen constituency ownership.

Track 4: Introducing safe chemicals and wastes management as a new focal area, expanding the existing POPs focal area, or establishing a new trust fund under GEF

A strengthened GEF for chemicals and wastes that could support compliance upon request by Parties and under the guidance of the conferences of the parties. GEF has the ability to accommodate various types of funds within one large window. New and additional funds could be made available through a new focal area on chemicals and wastes, an expanded persistent organic pollutants window and the creation of a new trust fund akin to the Adaptation Fund or the Least Developed Countries Fund.

15. A fifth and final meeting of the consultative process will be held from 6 to 7 October 2011 in Bangkok. At this meeting, the participants will further explore ways to operationalize each of the four financing tracks identified.

16. The next step in the process would be for the Executive Director, as requested in decision SS.XI/8 of UNEP Governing Council, to report on the progress and direction of the consultative process to relevant intergovernmental processes with the aim of providing a final report for consideration by the Governing Council at its twelfth special session, in 2012, and of achieving possible decisions at the third session of the International Conference on Chemicals Management, in 2012, and at the twenty-seventh session of the Governing Council in 2013. The outcome of the current meeting and that of the fifth meeting would feed into the Executive Director's report. More information on the consultative process can be found at this link:
http://www.unep.org/dec/Chemical_Financing/index.asp

B. Traditional means of implementation

17. Separate from, but under discussion in the UNEP consultative process, there are a number of more traditional means of implementation that have been considered specifically for the Basel Convention. These are outlined below:

B1. Domestic resources

18. Domestic resources are preferably used to finance countries' own development. External capital flows, like Official Development Aid, are conditioned by international volatility and aid policies that may render such flows less stable. But, often, domestic resources are insufficient to address global environmental issues. This is true for the management of hazardous waste.

B2. External resources

19. External capital flow will supplement or complement domestic resources. It includes ODA, debts relief and Foreign Direct Investment (FDI). It is a channel for the transfer of technology to support development goals and poverty eradication. External resources are principally devoted to enhance growth, increase exports and raise domestic savings. Selected global environmental issues benefit from funding through the Global Environment Facility (GEF) which is not directly accessible for financing activities under the Basel Convention.

B3. Private sector

20. The private sector is an engine of growth and job creation. It requires an enabling environment for its development. On the development front, collaboration between Governments, the private sector and international finance institutions will guarantee effective support to industry, business and education. Governments are establishing business rules and regulations that should provide a level playing field for domestic and foreign businesses. It should include corporate social responsibility by integrating social and environmental considerations, such as the environmentally sound management of hazardous waste, into business practices and operations.

B4. Regional cooperation

21. China-Africa links, intra Asia or South America cooperation, are vivid examples of regional cooperation. Such inter- and intra-cooperation is growing and impact on the transboundary movements of hazardous waste. Some of these regional activities, however, are impacting negatively on the environment, including regarding the management of waste and hazardous waste. Such regional trends call for having a network of BCRCs that should be capable to influence Governments and companies towards protecting human health and the environment from waste and hazardous waste. But equally important, to have centres that can help provide awareness, training and solutions to regional integration and cooperation when it comes to the sound management of chemicals and waste, including hazardous waste. Of particular importance are the life-cycle approach and main-streaming of chemical management, environmental impact assessments and environmental management tools.

22. Regional cooperation allows for the Basel Convention to play a more influential and important role in policy guidance and management options for the environmentally sound management of waste and hazardous waste, in particular through its network of centres and those of the Stockholm Convention.

B5. Capacity building

23. Building capacity means supporting the building of the capacity of countries towards ensuring national or domestic development and environmental efforts, investments and programmes. Capacity building may take different forms depending on the specificities and geographical characteristics of individual countries. Basically, capacity building involves human resource development, organizational development and institutional development. Any capacity building activity or programme need to tie in closely with countries 'own development agenda.

24. Waste issue is one of the environmental global issue that has such a strong management component and impact on the everyday life of people. Most waste management decisions are made at the local level in compliance with a wide variety of existing national, local, regional or international rules, regulations and planning guidelines. Sound policies will aim at promoting a variety of locally-sustainable, workable and affordable solutions. In order to meet the goals of environmentally sound management, national authorities would need to undertake the following actions:

(a) Development and implementation of adequate national regulatory framework for waste management, including health and safety measures;

(b) Ensuring the protection of the population and especially of workers exposed to waste and of the most vulnerable persons. Ensuring decent work conditions in the waste sectors. Reviewing the potential to create green jobs through the environmentally sound management of waste and its minimization;

(c) Promotion of waste minimization at source and waste avoidance (through reducing hazardous chemicals in products);

(d) Supporting research and development on the effects of waste on health and the environment. Dissemination of information on the impacts of waste generation and unsustainable waste management practices;

(e) Promotion of the transformation of waste into resources (in the context of the respect of the international obligations regulating or prohibiting the transboundary movements of hazardous waste covered under the Basel Convention and the application of the environmentally sound management principles) including the use of environmental management tools;

(f) Ensuring participation of all relevant stakeholders in matters concerning or related to waste management;

(g) Development of life-cycle approach to materials and the promotion of materials efficiency and sound natural resource use. Addressing the production cycle along the entire supply chain. Development of programmes to review the impacts of the planned obsolescence of consumers' goods to propose options that are more sustainable;

(h) Integration of waste management activities in land-use planning and infrastructure development;

(i) Integration of waste issues in ODA and poverty reduction strategies.

25. It is likely that many countries might need support to build or reinforce their capacity in one of more of the activity fields listed above. Because of the vastness of what capacity building implies, Parties may wish to provide a framework within which capacity building activities could be identified, prioritized and coordinated, including through the BCRCs.

B6. Mechanism for promoting implementation and compliance

26. The Mechanism for Promoting Implementation and Compliance with the Basel Convention aims at assisting Parties to implement and comply with their obligations under the Convention. Calling for contributions to the implementation fund (under the existing Basel Convention BD Trust Fund) and authorizing the Committee to direct the use of the implementation fund to facilitate implementation and compliance by individual Parties that are concerned by a specific submission constitutes one element of the above mentioned framework.

B7. Partnerships

27. Building global or regional alliances and partnerships between countries and international institutions is seen as important to accompany countries' development efforts. Within such strategic partnerships, specific environmentally focused cooperation and collaboration could be envisaged to address global environmental challenges in a coherent and effective way. Coupling chemicals and

waste issues with energy and climate change issues would bring a huge potential for increasing attention, awareness and resources for the sound management of chemicals, waste and hazardous waste and for bringing a significant contribution to energy efficiency solutions and the reduction of greenhouse gas emissions.

28. Tailor-made partnerships, such as MPPI or PACE, can be nurtured or enhanced to address other key issues concerning the life-cycle management of POPs waste, lead or mercury for instance. This would accelerate management solutions that are environmentally sound. In this regard, the Implementation and Compliance Committee proposed a partnership on preventing and combating illegal traffic (PPCIT), which would aim at bringing together and improving coordination among relevant entities with a specific mandate to deliver capacity building activities on preventing and combating illegal traffic, provides an additional important opportunity to accompany countries in their efforts to better implement and enforce the transboundary movement control provisions of the Convention.

B8. Financial mechanism

29. A number of Parties have indicated the importance to establish a dedicated financial mechanism under the Basel Convention to support those countries in need of assistance to implement the Strategic Framework.

30. Considering the complexity and demanding needs, it might be useful and helpful to develop a Plan of Action to assist Parties and their partners to implement the Strategic Framework in an incremental manner and in a way to enable Parties at different level of development to progress together towards achieving in common the set Goals and Objectives.

IV. Action Plan for the Means of Implementation

31. There are four domains that could be considered. These are:

- (a) To enhance and develop capacity of Parties for effective implementation;
- (b) To mobilize and increase the effective leverage and use of financial and other resources and to facilitate greater flow of international funding and investments;
- (c) To enhance cooperation and coordination among Parties, relevant initiatives, programmes, institutions, conventions and protocols at the regional and global level;
- (d) To strengthen the institutional bodies of the Basel Convention.

32. Considering the complexity and demanding, it might be useful and helpful to develop a Plan of Action to assist Parties and their partners to implement the Strategic Framework in an incremental manner and in a way to enable Parties at different level of development to progress together towards achieving in common the set Goals and Objectives.

33. The work done so far by Parties through the process of developing the Strategic Framework, including the discussions on indicators and means of implementation, constitutes a solid base upon which to articulate and prepare an Action Plan for strategic implementation. At COP10, Parties could provide the Secretariat with a road map, guidance and a set of tasks to be performed to launch the preparation of an Action Plan that would be developed in close consultation with Parties.

34. The objective would be to organize the implementation of the Strategic Framework, to identify which means of implementation could be considered as being realistic, implementable and useful, and what support is required by Parties, the Secretariat, the BCRCs, and public and private stakeholders to advance with implementation. As part of the work to be done, it is felt that the building of strategic partnerships would be a key element in identifying and mobilizing adequate level of support over time.