



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

Geneva, 24 April–5 May 2017

Item 4 (d) (iii) of the provisional agenda*

**Matters related to the implementation of the Convention:
technical assistance: implementation of decision V/32
on the 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**

Implementation of decision V/32 on the 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

I. Introduction

1. By decision BC-12/11, the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal decided to amend chapter IV of part 1 of the Interim Guidelines for the implementation of decision V/32 on enlargement of the scope of the Technical Cooperation Trust Fund to Assist Developing and Other Countries in Need of Technical Assistance in the Implementation of the Basel Convention (UNEP/CHW.6/40, annex, decision VI/14, appendix) to provide that upon receiving a request for emergency assistance the Secretariat would inform, and seek the emergency assistance services provided by, the Joint United Nations Environment Programme (UNEP)/Office for the Coordination of Humanitarian Affairs (OCHA) Environment Unit; that a task force might be established to organize the coordination between the Joint UNEP/OCHA Environment Unit, the Secretariat of the Basel Convention and any other relevant organization; and that the regional centres under the Basel Convention could provide experts on issues pertaining to the management of hazardous wastes and other wastes under the Basel Convention to participate in the response to environmental emergencies.
2. In the same decision, the Conference of the Parties also decided to amend the section entitled “Role of the Secretariat of the Basel Convention” in chapter III of part 3 of the Interim Guidelines to provide that the Secretariat, in advising Parties on the preparation and submission of requests for emergency assistance, should consult with the Joint UNEP/OCHA Environment Unit and might, if requested, also provide assistance on technical cooperation for the prevention of accidents and damage.
3. Furthermore, the Conference of the Parties requested the Secretariat to reflect the above-mentioned amendments in the text of the Interim Guidelines and to make the amended version of the guidelines publicly available. The Secretariat was also requested, subject to the availability of resources, to carry out, in particular, capacity-building activities with relevant partners, such as the

* UNEP/CHW.13/1.

Joint UNEP/OCHA Environment Unit, relevant to the prevention of incidents and enhancing the preparedness of countries to deal with emergencies caused by transboundary movements of hazardous wastes and other wastes and their disposal, in line with part 3 of the Interim Guidelines, and as part of the technical assistance programme, and to continue its cooperation and collaboration with the Joint UNEP/OCHA Environment Unit.

II. Implementation

4. Pursuant to paragraph 5 of decision BC-12/11, the Secretariat has made available the amended version of the Interim Guidelines in the six official languages of the United Nations on the Basel Convention website.¹ The amended version includes updated contact information.

5. Pursuant to paragraphs 6 and 7 of decision BC-12/11, the Secretariat has continued to cooperate with the Joint UNEP/OCHA Environment Unit. In October 2015, the Secretariat received a request for emergency assistance from Paraguay following a fire in transformers containing polychlorinated biphenyls. According to the Interim Guidelines, the request did not qualify for emergency assistance applicable to incidents that occur during the transboundary movement of hazardous and other wastes and their disposal. Nonetheless, pursuant to decisions BC-IX/10, RC-4/11 and SC-4/34, in which the conferences of the parties to the Basel Convention, 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, respectively, recommended that Parties, when implementing the three conventions, including through capacity-building and technical assistance, ensure close cooperation and coordination among relevant sectors, ministries and programmes at the national level with respect to, among other things, the prevention of accidents and emergency response in case of accidents, the Secretariat informed the Joint UNEP/OCHA Environment Unit of the request. An assessment mission was rapidly organized by UNEP/OCHA and undertaken in November 2015 to assist Paraguay in responding to the emergency. The Secretariat facilitated the mission by identifying, in cooperation with the Basel Convention Coordinating Centre for Latin America and the Caribbean Region (BCCC-Uruguay) and the Stockholm Convention Regional Centre for Capacity-Building and Technology Transfer (SCRC-Uruguay), an expert on polychlorinated biphenyls to participate in the mission.

6. As a result of the request for assistance from Paraguay, the Secretariat is planning in collaboration with the Joint UNEP/OCHA Environment Unit a capacity-building workshop on preparedness for and response to emergencies caused by hazardous chemicals and wastes and, in particular with regard to the Basel Convention, on emergencies caused by transboundary movements of hazardous and other wastes and their disposal. The workshop is scheduled to take place in the Latin American and Caribbean region thanks to generous financial support provided by the European Union and the Government of Finland. The support from Finland was initially earmarked for emergency assistance covered by the Basel Convention Interim Guidelines (part 1) and subsequently for specific capacity-building activities described in part 3 of the Interim Guidelines.

7. In addition, the Secretariat has finalized a new letter of agreement² with the Joint UNEP/OCHA Environment Unit extending the scope of cooperation to activities described in part 3 in addition to part 1 of the Interim Guidelines. The letter of agreement outlines the cooperation between the Secretariat of the Basel, Rotterdam and Stockholm conventions and UNEP/OCHA with regard to responses to emergencies, capacity-building activities relevant to the prevention of incidents and activities aimed at enhancing the preparedness of countries to deal with emergencies caused by transboundary movements of hazardous wastes and other wastes and their disposal, in line with part 3 of the Interim Guidelines and decisions BC-IX/10, RC-4/11 and SC-4/34.

8. The status, as at 31 October 2016, of contributions made to and expenditures incurred by the Trust Fund for emergencies and compensation for damage resulting from incidents arising from transboundary movements of hazardous wastes and other wastes and their disposal is set out in the annex to the present note.

¹ www.basel.int/Implementation/TechnicalAssistance/EmergencyAssistance/InterimGuidelines/tabid/4765/Default.aspx.

² www.basel.int/Implementation/LegalMatters/EmergencyFund/tabid/2370/Default.aspx.

III. Proposed action

9. The Conference of the Parties may wish to adopt a decision along the following lines:³

The Conference of the Parties

1. *Takes note* of the information on activities carried out by the Secretariat pursuant to decision BC-12/11;⁴
2. *Welcomes* the active engagement of the Joint United Nations Environment Programme/Office for the Coordination of Humanitarian Affairs Environment Unit with regard to emergency situations and encourages its continued cooperation with the Secretariat;
3. *Requests* the Secretariat, subject to the availability of resources, and invites the Basel Convention regional and coordinating centres to continue to carry out capacity-building activities with relevant partners, such as the Joint United Nations Environment Programme/Office for the Coordination of Humanitarian Affairs Environment Unit, relevant to the prevention of incidents and enhancing the preparedness of countries to deal with emergencies caused by transboundary movements of hazardous wastes and other wastes and their disposal, in line with part 3 of the interim guidelines for the implementation of decision V/32 on enlargement of the scope of the Technical Cooperation Trust Fund and in line with decisions BC-IX/10, RC-4/11 and SC-4/34;
4. *Also requests* the Secretariat:
 - (a) To continue its cooperation and collaboration with the Joint United Nations Environment Programme/Office for the Coordination of Humanitarian Affairs Environment Unit;
 - (b) To report to the Conference of the Parties at its fourteenth meeting on the implementation of the present decision.

³ At its meeting held on 11 and 12 July 2016, the Bureau of the Conference of the Parties to the Basel Convention agreed that for agenda item 4 (d), pertaining to technical assistance, the outcome of the discussion of the three related agenda sub-items would be presented as one omnibus decision of the Conference of the Parties to the Basel Convention on technical assistance. To that end, the Conference of the Parties may wish to adopt the draft decision set out in the present note as part III of the omnibus decision on technical assistance and the draft decisions set out in documents UNEP/CHW.13/17-UNEP/FAO/RC/COP.8/17-UNEP/POPS/COP.8/17, on technical assistance, and UNEP/CHW.13/11, on Basel Convention regional and coordinating centres, as part I and part II, respectively, of the omnibus decision on technical assistance.

⁴ UNEP/CHW.13/12.

Annex

Status of the contributions made to and expenditures incurred by the Technical Cooperation Trust Fund for 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 in paragraph 3 (d) of rule 4 of the financial rules, as at 31 October 2016

1. As at 31 October 2016, a total of \$332,876 was available in the Technical Cooperation Trust Fund for use for emergency assistance, in accordance with paragraphs 2 and 4 of decision V/32 and parts 1 and 3 of the Interim Guidelines for the implementation of decision V/32 on enlargement of the scope of the Technical Cooperation Trust Fund. Table 1 below sets out information on the balance of the Fund and table 2 sets out information on the distribution of funds available for emergency assistance and capacity-building, in accordance with decision V/32 and the Interim Guidelines, as at 31 October 2016.

Table 1

Status of contributions to the Technical Cooperation Trust Fund for emergency assistance and capacity-building to prevent accidents, as at 31 October 2016

(United States dollars)

<i>Donor</i>	<i>Year paid</i>	<i>Amount paid</i>	<i>Actual expenditures</i>	<i>Balance as at 31 Oct. 2016</i>	<i>Percentage used</i>	<i>Estimated expenditures projected for 2016–2017</i>
Australia	2007	42 290 ^a		42 290	0	
Denmark	2000	79 045 ^a		79 045	0	
Finland	2000	22 105 ^c		22 105	0	19 895 ^d
France	2000	66 225 ^a		66 225	0	
New Zealand	1999	10 000 ^a		10 000	0	
Norway	2000	27 848 ^a		27 848	0	
Switzerland	2000	50 000 ^a		50 000	0	
United Kingdom of Great Britain and Northern Ireland	2000	50 000 ^a	14 637 ^b	35 363	29	
Balance		347 513		332 876		19 895

^a Earmarked for emergency assistance in accordance with paragraph 2 of decision V/32 and part 1 of the Interim Guidelines.

^b Expenditures incurred for the expert mission organized by the Secretariat to assist Côte d'Ivoire to estimate the extent of damage and the measures needed to mitigate and prevent further damage ("rapid assessment") in response to a request for emergency assistance under the Emergency Trust Fund in 2006. The funds used to assist Côte d'Ivoire represented 4.2 per cent of the total funds available at the time.

^c Earmarked contribution for specific capacity-building activities for accident prevention in accordance with paragraph 4 of decision V/32 and part 3 of the Interim Guidelines.

^d Contribution to a capacity-building workshop planned in collaboration with the Joint UNEP/OCHA Environment Unit for the first quarter of 2017.

2. In accordance with part 1 of the Interim Guidelines (emergency assistance) and on the basis of the funds currently available in the Fund, a reserve in the amount of \$31,077 should be maintained, thus leaving \$279,694 available for emergency assistance, including \$93,231 as the maximum amount available for use for a single incident.

3. In accordance with part 3 of the Interim Guidelines (capacity-building) and on the basis of the funds currently available in the Fund, \$2,210 should be maintained as a reserve, thus leaving \$19,895 available for capacity-building activities. The funds are earmarked for specific activities, and there is no limit on the amount that can be used for a single activity.

Table 2

Overview of the distribution of funds available for emergency assistance in accordance with decision V/32 and the Interim Guidelines, as at 31 October 2016

(United States dollars)

	<i>Amount</i>	<i>Percentage</i>
Part 1 of the Interim Guidelines: total amount earmarked for general emergency assistance	310 771	93.4
- Available for earmarked activities	0	
- Available for non-earmarked activities	279 694	
- Maximum 30 per cent available for use in a single incident in terms of non-earmarked activities	93 231	
- Minimum 10 per cent reserve	31 077	
Part 3 of the Interim Guidelines: total amount earmarked for specific capacity-building activities	22 105	6.6
- Available for earmarked activities	19 895	
- Available for non-earmarked activities	0	
- Maximum 30 per cent available for use in a single incident in terms of non-earmarked activities	not applicable	
- Minimum 10 per cent reserve	2 210	
Total balance of the Fund	332 876	100