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# 中华人民共和国国家环境保护总局

## STATE ENVIRONMENTAL PROTECTION ADMINISTRATION

 115 Xizhimennel, Nanxiaoje, Beijing 100035, the People's Republic of China
 Info: KKA

### FACSIMILE SHEET

Date: Dec 10, 2007	No. of Pages: 1
To:	From:
Name: Ms. Katharina Kummer Peiry	Name: Ms. Yu Fei
Dept.: Secretariat for the Basel Convention	Dept.: Department of Pollution Control, SEPA
Tel/Fax: 41-22797 3454	Tel/Fax: 8610 6655 6253

**Subject: China's comments on the annex to decision OEWG-VI16**

Dear Ms. Kummer Peiry:

As requested by the Secretariat of Basel Convention, the State Environmental Protection Administration, as Competent Authority of China for Basel Convention would like to inform you of our comments on the annex to decision OEWG-VI/16 as follows. We are sorry that it's a little bit late, but we still hope it will help to address the current issue.

Since the Basel Ban Amendment was adopted in 1995, all other member parties who joined the Convention on a later date should have been well aware of the Amendment and its implementation in future. So it is reasonable to assume that these member parties were in support of the entire Convention including the amendment at the time they joined the Convention, and there is already an international recognition of the principle underlying the Ban Amendment. Therefore, any further delay to its entry into force would only send a wrong signal to the international community that member parties of the Convention cannot resolve key issues within its own ambit.

The Chinese government strongly supports that member Parties have the ultimate power to agree on the interpretation and application of any articles of the Convention and supports to push ahead the early entry into force of the Amendment.

Based on the above consideration, we think the "fixed-time approach" is a reasonable interpretation of paragraph 5 of Article 17. So we support "Option 1 Alternative 2" and "Option 2" stipulated in annex to decision OEWG-VI/16.

Thank you for your cooperation.

Sincerely yours,

Yu Fei

Director, Solid Waste Division

Department of Pollution Control

State Environmental Protection Administration, China