

Basel Convention Bulletin

March 2012

Editorial

2012 is shaping up to be a year of new opportunities for advancing the goal of environmentally sound management of wastes.

The groundwork for this was set at the tenth meeting of the Conference of the Parties (COP 10) in Cartagena last October. The success of COP 10 lends credence to the old saying that "success has many parents" and is a tribute, in particular, to the efforts of the Colombian team and COP 10 President, Paula Caballero. The chairs of all of the contact groups did their jobs beautifully, so beautifully in fact that we were treated to the exceedingly rare occasion of ending the COP early on Friday. And no less significant was the extensive groundwork laid by Indonesia and Switzerland, who, with their many, many friends, brought the country-led initiative (CLI) to fruition. As well, there was the extraordinary preparatory work done by Parties and subsidiary bodies to support decisions on technical guidelines, compliance and other areas. Without their support, the "miracle of Cartagena" would not have materialized.

For 2012, two of the main tracks to follow up on the success of the CLI decision are: (1) the fast start of the technical expert group charged with development of a framework for the environmentally sound management of hazardous wastes and other wastes; and (2) making progress on securing the additional

ratifications needed for the Ban Amendment to enter into force. The Secretariat is strongly committed to the success of both of these initiatives. This work, among other things, will depend in no small part on our robust network of Basel regional and coordinating centres.



Jim Willis

The Secretariat is undergoing restructuring which will enable us to provide stronger, deeper support to Parties. We are establishing a new synergies website (<http://synergies.basel.int>), which will function alongside the Basel, Rotterdam and Stockholm websites from April 2012. You will be able to keep track of the restructuring there, along with progress in implementing the synergies decisions and identifying new synergies. I am grateful for the comments and encouragement received from Parties on the restructuring proposal, and as always you should feel free to contact me at jim.willis@unep.org on this and any other Basel-related matters.

Although the first part of 2012 will necessarily focus on working through many of the organizational synergies called for by the COP decisions, it is my view that the time has come for us to look at how synergies can improve the delivery of services to our clients – that

is to say, how can synergies improve the situation “on the ground”, particularly in countries in greatest need of assistance in protecting health and the environment from toxic chemicals and hazardous wastes. Although significant cost savings through implementing the synergies decisions is to be expected, it is worth recalling that the real objective of the synergies exercise is not simply to save money, but rather to strengthen delivery of services to Parties in an efficient, cost effective manner. This will require a shift from an inward focus on the Secretariat to an outward focus – how can technical assistance, technology transfer and capacity building be strengthened at the global and regional levels and how to build synergies in the delivery of those services to countries that need it the most?

As we move forward in implementing the decisions from Basel COP 10, I very much look forward to working with our new President, Franz Perrez of Switzerland, and the Bureau of COP 11.

Jim Willis
Executive Secretary

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Paula Caballero, President of COP 10

COP 10 and follow-up

COP 10, a perspective from the presidency

After the tenth meeting of the Conference of the Parties to the Basel Convention (COP 10) held in Colombia in October 2011, the city of Cartagena de Indias has doubtlessly earned a name in the history of successful multilateral environmental negotiations.

At the beginning of the year, there was scant optimism with regards to the potential outcome of the upcoming COP. Many years of no resolution on the issue of the Ban Amendment, and adoption of decisions with limited scope in successive COPs, despite the best efforts of the respective host countries and other leading stakeholders, seemed to evidence a dispiriting lack of commitment and interest in the Basel Convention by Parties and other key actors. This situation was partly due to the fact that since the adoption of the Convention in 1989, there have been significant changes in the context of hazardous wastes at the global level that seem to outpace treaty text.

It was in this difficult context that Colombia decided to host the COP. Moreover, it was a difficult context for Colombia itself as the country is suffering from successive massive floods that have drained our resources at all levels. As the President during the 5 days of the meeting, I wish to share some thoughts on what we consider were key elements for a positive outcome.

First: Joint efforts

In January 2011, the Government of Colombia established a team composed of experienced negotiators with able technical advisers that, together with a new generation of enthusiastic civil servants, were responsible for all aspects of the meeting. The team members, although from different entities such as the Ministry of Foreign Affairs (focal point), the Ministry of

Environment (competent authority), Ministry of Health, customs, the maritime authority amongst others, worked as one. The team agreed on a carefully drafted plan that detailed all activities for addressing substantive and logistic issues. Such activities included participating in relevant international fora in order to promote attendance to the COP, in particular in the GRULAC region and in Geneva, as well as dedicated consultations with key stakeholders in relation to the different issues on the agenda. In addition to this, several events were organized with non-governmental actors to raise awareness on the issue of hazardous wastes. In parallel, the team prepared submissions to be sent to the Secretariat in response to notifications, organized and attended several meetings in Geneva, Bogota and Cartagena with the members of the Secretariat, and coordinated with them, as well as with the different providers, the necessary logistic arrangements to ensure that the meeting could run smoothly. We all worked in absolute unison, and although the many responsibilities were carefully assigned, everyone was keenly aware that we were a single dedicated team.

Second: leadership and cooperation

Based on many years of negotiation experience, we knew that these negotiations required judicious leadership from a Presidency that was fully committed to supporting a transparent and even process, separate from the national position. We therefore established two distinct teams, one led by Jimena Nieto from the Ministry of Environment, Housing and Territorial Development to represent the national position whilst I was in charge of the Presidency with my own team of advisers. This division provided for enabling Colombia to take all the necessary measures to ensure a successful outcome of the COP without hampering the need for the national delegation to defend its positions at the same time. Both teams built strong links with key delegations, as well as with the Secretariat, in order to work hand-in-hand towards a successful outcome.

Third: political will

The agenda of the COP included the adoption of a strategic framework, budgetary decisions, the completion and adoption of technical guidelines, the adoption of a legal manual for the legal profession and other traditional items. However, the most outstanding issue was the need to reach an agreement in relation to the entry into force of the Ban Amendment adopted in 1995. While some might argue that the actual implications of such an agreement would not substantively change many issues on the ground, the fact that the Parties had not been able to adopt a decision on this was a matter that weighed down the Convention and limited its projection into the twenty-first century.



Jimena Nieto, Lead negotiator, Colombia

With that in mind, the Swiss and Indonesian delegations presented an ambitious proposal in order to address the challenges faced by the Parties when implementing the Convention. The proposal, known as the country-led initiative (CLI), aimed also at solving the pending issue of interpretation of Article 17(5) of the Convention. As the President of the COP, Colombia gave full support to both the initiative itself and to the leaders of the initiative and engaged personally with delegates in order to hear from them their views on the proposal and to explore ways to reach consensus. The merit of this breakthrough belongs to the dedication of the Swiss and Indonesian Governments. Ultimately, it was possible to come to an agreement and this complex decision was adopted. For some delegations it was not easy to accept the compromise and strong political will was required to allow for consensus on this. A special tribute to them must be paid.

The implementation of the CLI will definitely take the Convention to a new level, more in accordance with the current situation of transboundary movements of hazardous wastes.

Last but not least: trust and friendship

Having had the experience of other very difficult environmental negotiations over the recent years, I was really moved by the sense of trust and friendship that prevailed by the end of the meeting. What had started as a difficult task with few betting for success, ended as a joyful party where I got to wear a typical Swiss hat as a symbol of the joint efforts that both developing and developed countries undertook in order to give the Basel Convention, and the fight against environmental damage caused by hazardous wastes, a boost. The Colombian team is proud that it happened in Cartagena.

**Paula Caballero, President of COP 10
Director of Environmental, Social and Economic Affairs
of the Ministry of Foreign Affairs, Colombia
with Jimena Nieto, Lead negotiator,
Ministry of Environment, Housing and Territorial
Development, Colombia**

COP 11: An outline of goals, expectations and the preparatory process

Let me first thank Parties to the Basel Convention for the trust and confidence in electing me as the President of COP 11. I will do my best to build on the success of the last COP to further enhance the protection of the environment and human health from hazardous and other wastes.



Franz Perrez, President of COP 11

The process leading up to COP 11 will be rich and intense. Developing a first framework of guidelines on the environmentally sound management of hazardous and other wastes and linking this framework to transboundary movement, enhancing the legal clarity of terms relevant for the implementation of the Convention, bringing the Ban Amendment into force, and further developing the Basel Partnership for Action on Computing Equipment (PACE) will be crucial priorities of the upcoming 18 months. The Basel Convention Regional Centers (BCRCs) will play a critical role supporting this process. This work will be essential to address the challenges posed by hazardous wastes and other wastes in a comprehensive, coherent, effective and efficient manner.

But not only substantive legal and technical questions will need our attention, the next year will also bring decisive developments with regard to institutional and governance issues: Parties will start to benefit from a further integration of the secretariats of the Basel, Rotterdam and Stockholm conventions, and we are moving towards organizing the COP of the Basel Convention for the first time back-to-back with the COPs of the Rotterdam and Stockholm conventions. This will help us to take coherent and effective decisions within a comprehensive picture of chemicals and waste policy, it will increase efficiency and also contribute to an overall strengthening of the visibility and relevance of the chemicals and waste cluster.

It will be a challenging and inspiring time. I am looking forward to working closely with Parties and Signatories to the Basel Convention, the BCRCs and my colleagues in the Bureau, but also with the presidents and Bureaux of the other two conventions,

and the Secretariat. However, these efforts can only be successful if we all can count on the commitment and engagement of all Parties and Signatories, experts, colleagues and friends from the Basel community. Together, we will make the next COP another success.

**Franz Perez, President of COP 11
Ambassador
Federal Office for the Environment
Switzerland**

The tenth meeting of the Conference of the Parties to the Basel Convention: A historic success

The expectations of the outcomes of the tenth meeting of the Conference of the Parties (COP 10), held from 17 to 21 October 2011 in Cartagena de Indias at the gracious invitation of the Government of Colombia, were high at the outset. However, it is no exaggeration to say that they were fully met and even exceeded: having reached consensus on what had been the Basel Convention's most contentious issue for many years, and having endorsed a paradigm shift on how wastes are regarded, COP 10 has been dubbed by some as "the miracle of Cartagena" and hailed as "a model of how multilateralism can work". The exceptional nature of the meeting is evident also in the significant progress achieved in all substantive areas, as well as at the more practical levels: COP 10 is the first in the history of the Convention that concluded its work half a day early, and the first in many years where attendance of all eligible Parties that

requested it could be funded. Last but not least, the meeting was characterized by a strong spirit of openness and compromise, and a joint will to open a new chapter in the life of the Convention.

The Basel Paradigm Shift

The 118 Parties represented in Cartagena adopted a set of decisions that together are expected to provide a high-level political basis for waste avoidance and management in the twenty-first century. COP 10 reaffirmed the environmental and health imperatives of waste prevention and environmentally sound management, and acknowledged the inherent technological and economic opportunities. It confirmed that wastes should not be considered merely an unwanted and costly by-product of modern society, but can be recognized as a potentially valuable resource. This new approach has the potential to demonstrate a practical way of promoting a Green Economy - one of the two themes of the Rio+20 Summit in June 2012. It could trigger a similar paradigm shift in other areas of environmental protection.

Cartagena Declaration

The Cartagena Declaration on Prevention, Minimization and Recovery of Hazardous Wastes and Other Wastes, the high-level policy outcome of the COP, expressly acknowledges the role that waste avoidance and environmentally sound recycling and recovery operations can play in the creation of "green" jobs and "green" business opportunities, and thus in combating poverty and protecting human health. It encourages waste prevention as well as environmentally sound recycling and resource recovery as combating poverty and protecting human health and livelihood, thus contributing to the achievement of



Photograph courtesy of IISD/Earth Negotiations Bulletin

The Dias applauding at the end of the meeting

the Millennium Development Goals. In this sense, it builds on the Bali Declaration on Waste Management for Human Health and Livelihood, adopted by COP 9 in 2008.

CLI Decision

Perhaps the most visible outcome of COP 10 is the breakthrough agreement on the Ban Amendment prohibiting all exports of hazardous wastes from OECD to non-OECD countries, which was adopted in 1995 but is not yet in force. It had been extremely contentious and relevant discussions had effectively been blocked for 15 years. Based on the country-led initiative (CLI), initiated by Indonesia and Switzerland at COP 9 in 2008, a package deal was adopted that allows the Ban Amendment to enter into force for those countries that wish to adhere to it, and mandates a group of experts to develop a framework for those countries that wish to trade in wastes to do so while ensuring environmentally sound management, preventing health and environmental impacts, and putting into place adequate social and labour conditions. The future framework should build on, and integrate, relevant work already done under the Convention. It should also add new elements, notably standards and certification schemes for facilities and processes. In accordance with the now agreed interpretation of Article 17(5) of the Convention, the Amendment will enter force upon ratification by an additional 17 Parties.

New Strategic Framework

COP 10 also adopted the Strategic Framework for the implementation of the Convention for 2012-2021, as the successor to the Strategic Plan of Implementation adopted in 2002. The Strategic Framework sets out a vision, guiding principles, strategic objectives, means of implementation and indicators of achievement. The guiding principles include, amongst others: sustainable use of resources; recognition of wastes as a resource where appropriate; and integrated waste management. The Framework aims at strengthening prevention and environmentally sound management of waste as a contribution to protecting human health and sustainable livelihood, and eradicating poverty. The Secretariat was mandated to prepare reports for the purpose of conducting a mid-term evaluation of the Framework for consideration of the COP in 2013 and a final evaluation for consideration in 2015.

Technical Guidelines

After several years of work, three sets of technical guidelines - on co-processing of hazardous wastes in cement kilns, environmentally sound management of mercury wastes, and environmentally sound management of used tyres - were

adopted. COP 10 also adopted the guidance document on environmentally sound management of used and end-of-life computing equipment elaborated by the Partnership for Action on Computing Equipment (PACE). It mandated further work on the technical guidelines on transboundary movements of e-waste, taking into account the relevant work done by PACE, and on management of POPs wastes.

Implementation and Compliance Committee

COP 10 acknowledged the significant work done by the Implementation and Compliance Committee over the past few years, including the development of a number of practical guidance tools and the consideration of specific submissions by Parties relating to difficulties with National Reporting. On this basis, the COP approved an ambitious work programme for the Committee for the biennium 2012-2013. Among other things, the Committee was mandated to undertake preparatory work for the establishment of cooperative arrangements among relevant entities dealing with illegal traffic.

Other key substantive issues

The 29 decisions adopted by COP 10 set the stage for developments in a number of other key areas, including: continued strengthening of the BCRCs and their role as key providers of capacity building in the regions; continuation of work on national legislation, enforcement, and combating illegal traffic in cooperation with competent organizations; efforts to facilitate national reporting and increase the rate of compliance with reporting obligations; extension of the mandate of PACE and an indicative list of partnerships in which the Secretariat may participate; and cooperation with relevant organizations with the mandate and capability to deliver capacity building on issues related to the Basel Convention. The COP also adopted the work programme for the eighth session of the Open-ended Working Group scheduled for September 2012, now with a duration of 4 days in accordance with the budget decision.

Synergies and related issues

COP 10 adopted a decision identical in content to those already adopted by the most recent meetings of the Stockholm and Rotterdam COPs. This includes approval of a series of joint activities and a mandate to the Executive Secretary to proceed with the reorganization of the joint Secretariat, in line with the relevant earlier decisions of the COPs of the three conventions. Parties agreed that another simultaneous extraordinary meeting of the three COPs will be held back-to-back with the last of the 3 ordinary COPs in 2013. Also in the spirit of the synergies, the

COP adjusted Rule 21 of the Rules of Procedure to the equivalent rule of the Rotterdam and Stockholm conventions, to the effect that the Bureau is elected at the end of each COP meeting to serve until the end of the next meeting. Accordingly, Mr. Franz Perrez of Switzerland was elected as the President of COP 11. The COP also adopted Financial Rules for the COP, subsidiary bodies and Secretariat that are consistent with those of its sister conventions.

Budget

The discussions on the budget and work programme were closely linked with the decision on synergies, the aim being to achieve cost savings by coordinating and streamlining activities and through increased efficiency of the restructured Secretariat. The COP agreed on a zero nominal growth scenario.

Katharina Kummer Peiry
Executive Secretary
Secretariat of the Basel Convention

Indonesian-Swiss country-led initiative to improve the effectiveness of the Basel Convention: Technical expert group taking shape

The ninth meeting of the Conference of the Parties to the Basel Convention acknowledged the President's statement on the possible way forward on the Ban Amendment (Decision IX/26) and invited Parties to take that proposed way forward into consideration wherever possible. Based on that statement, the Governments of Indonesia and Switzerland organized a country-led initiative (CLI). Three physical meetings were held, intended as fora to identify, analyse and enhance the understanding of the problem; to continue this analysis and to develop options and solutions; and to formulate recommendations for consideration by the Conference of the Parties at its tenth meeting (COP 10) in Cartagena de Indias, Colombia.

On the basis of the input provided by meeting participants and other stakeholders prior to, during and further to the meetings, the lead countries prepared documentation, including draft decisions, which were transmitted to the COP 10 for its consideration. The Conference adopted an historic Decision (BC-10/3), concerning an interpretation of the Article 17(5) of the Convention along the lines of a "fixed-time approach."

The COP noted that a more systematic and comprehensive effort is needed to improve guidance on environmentally sound

management (ESM) of wastes. In this connection, the COP mandated a technical expert group (TEG) to undertake the work to complete the development of a framework for the ESM of hazardous wastes and other wastes and to submit a draft framework to the OEWG 8 and COP 11 for their consideration.

The TEG consists of six members nominated from each of the five regional groups of the United Nations and will also be open to observers. Based on that decision, each regional group nominated through its Bureau member by 15 December 2011 six members with specific knowledge and expertise on ESM. The TEG is in the process of organizing its working modalities and the first meeting will be held in Tokyo, Japan from 17-19 April 2012 (<http://www.basel.int/Secretariat/MeetingsCalendar/tabid/2574/Default.aspx>).



Discussions on CLI in contact group, COP 10

For more information, please contact: Mr. Ibrahim Shafii at ibrahim.shafii@unep.org or tel. +(41 22) 917 8636.

Eighth session of the Open-ended Working Group of the Basel Convention

The eighth session of the Open-ended Working Group of the Basel Convention (OEWG 8) will be held at the International Conference Centre in Geneva, Switzerland, from 25 to 28 September 2012.

The tenth meeting of the Conference of the Parties (COP 10) adopted the work programme of the Open-ended Working Group for 2012–2013 (Decision BC-10/25). According to the work programme, OEWG 8 should consider, among other issues: developing and keeping under review the Strategic Framework; the Indonesian-Swiss country-led initiative to improve the effectiveness of the Basel Convention; the strengthening of the Basel Convention Regional Centres; and the preparation of the programme budget for 2014–2015 taking into account the priorities established by COP 10.

For more information please contact the Secretariat at sbc@unep.org, and www.basel.int or tel. +(41 22) 917 8218

Proposal for the organization of the secretariats of the Basel, Rotterdam and Stockholm conventions: Executive summary

The proposal from the Executive Secretary of the Basel, Rotterdam and Stockholm Conventions for the organization of the secretariats of the three conventions, as requested by the three conferences of the Parties held in 2011 in their decisions on joint managerial functions was made available to Parties and observers on 23 December 2011 at: <http://www.basel.int/TheConvention/Synergies/Jointmanagerialfunctions/tabid/2501/Default.aspx>

The Executive Secretary proposed a shift from the generally referred to as a programmatic structure, to a matrix structure. The previous structure principally consisted of three separate secretariats dedicated to each of the three conventions plus a joint convention services group dedicated to providing common support services to each secretariat. The structure proposed establishes a single integrated secretariat dedicating to serving all three conventions equally, and consists of four branches covering administrative services, convention operations, technical assistance and scientific support. The structure proposed also considerably simplifies the organization of the secretariat, and ultimately reduce the number of senior managers. In line with the proposed time line for the implementation of the Executive Secretary's proposal, the new structure was put into effect on 18 February 2012. The functional organigramme proposed is shown in page 9 of this bulletin.

The proposal provides a rationale for the restructuring, and includes sections on goals and objectives, as well as on advantages and disadvantages. It also describes the process by which the proposal was developed, which included the work of a secretariat task force on restructuring, that developed a thorough operations analysis, as well as extensive discussions with regional groups at all three of the 2011 COPs. It also includes a timeline for implementation and next steps.

The proposal notes issues associated with filling management posts and the need to remain within the 2012-2013 approved budget for each convention. Because the management posts will be filled through an open competitive process, the proposed organization designates them as new vacant posts. However, it is expected that these posts can be filled within the approved budgets and without creating an overly top-heavy organization,

Indicative timeline for implementation

Activity	Date(s)
Proposal transmitted to bureaux for views	22 December 2011
Proposal made available to all Parties and observers	23 December 2011
New structure put into effect	18 February 2012
Branch "fact sheets" completed	18 February 2012
Acting management put in place	18 February 2012
Consolidation of secretariat staff in reduced space	1 March 2012
Formal selection process for management positions	March–December 2012
Revise job descriptions for all staff	31 December 2012
Deadline for adjustments to new structure	31 December 2012
Finalization of secretariat report on synergies	31 December 2012
Publication of secretariat report on synergies	90 days before 2013 COPs
Full proposal for cost-neutral organization of secretariat	90 days before 2013 COPs

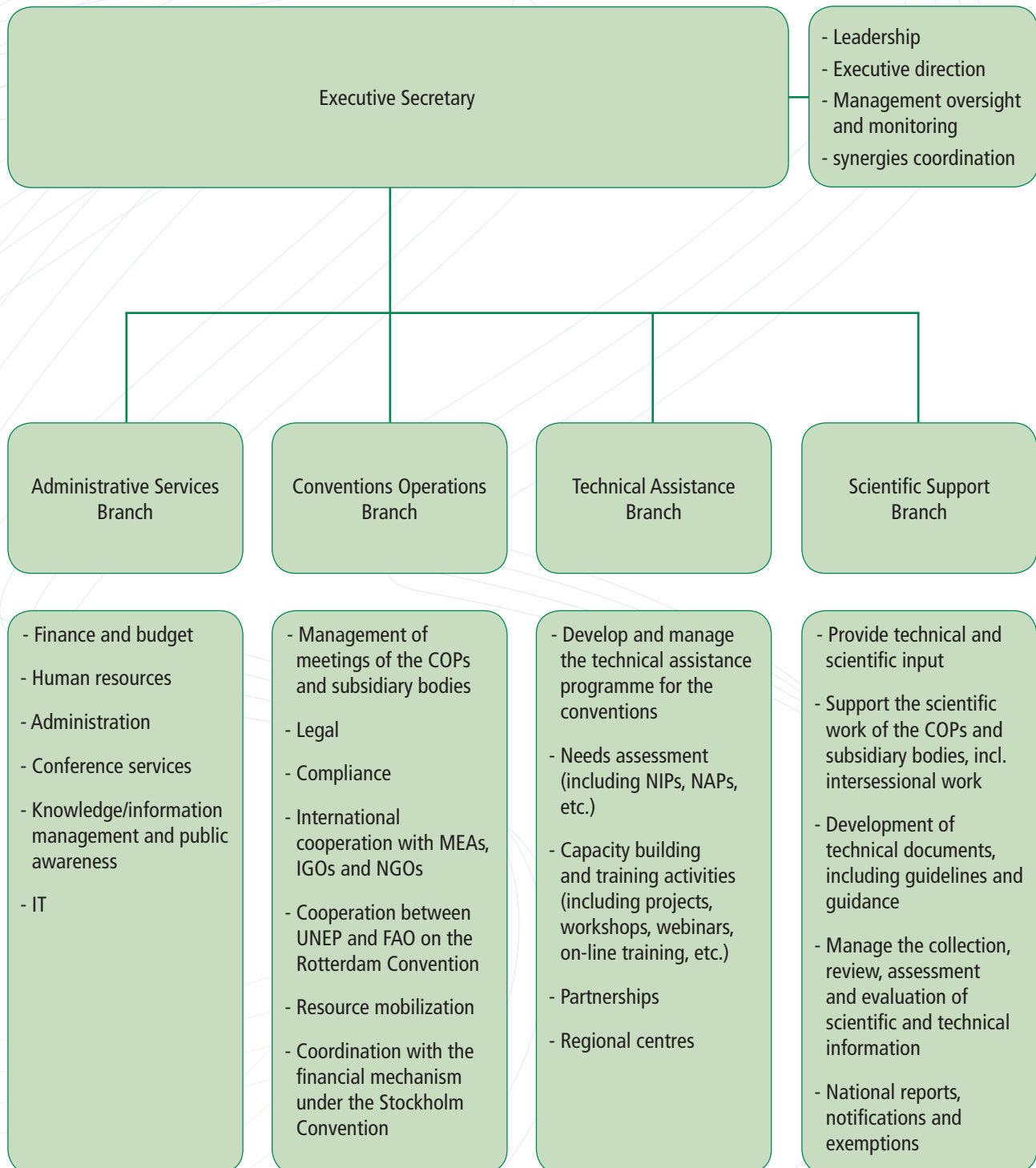
and the proposal indicates how this would happen. The proposal also notes demographic issues in the secretariat and its management.

A number of new management controls are proposed. Such measures are needed to support the successful transition to, and operation of, a matrix organization.

It is the sincere hope of the Executive Secretary that this proposal advances the vision and aspirations of Parties for organizational synergies within the secretariat.

Jim Willis
Executive Secretary

Functional organigramme



E-waste

COP 10 adopts new PACE work programme



PACE logo

At the tenth meeting of the Conference of the Parties to the Basel Convention in October 2011, the Parties adopted sections 1, 2, 4 and 5 of the guidance document on environmentally sound management of used and end-of-life computing equipment, which was developed under the Partnership for Action on Computing Equipment (PACE). Section 3 of the guidance document dealing with transboundary movement was welcomed and recognized by Parties, which requested that it be taken into account in the further development of the technical guidelines on transboundary movements of e-waste, in particular regarding the distinction between waste and non-waste. Parties agreed that section 3 may be revised after the adoption of those guidelines.

Parties further extended the PACE Working Group's mandate until the end of 2013 to complete a new Partnership Work Programme for 2012-2013. The Partnership will continue, amongst other things, to work on: completing the evaluation of guidelines in practice at selected facilities; pilot projects on the collection and management of used computing equipment by informal sectors in developing countries and countries with economies in transition and; awareness-raising and training. The Partnership will also identify actions and incentives that can promote the environmentally sound reuse, refurbishment, repair, recycling and material recovery of used and end-of-life computing equipment through the implementation of the Partnership guidelines and existing certification schemes. It will assess the possibility of using existing facility certification as a tool for assuring the environmentally sound management of used and end-of-life computing equipment.

At a PACE side event during COP 10, the Partnership programme and activities of the various project groups were presented, along with a film on the management of e-waste, the PACE logo design, and a special PACE song by a vocal group from El Salvador. There were also presentations from developing country, industry and NGO perspectives on PACE.

For more information, please contact: Mr. Matthias Kern at matthias.kern@unep.org or tel. +(41 22) 917 8767

Stakeholders from the African region will meet in Nairobi to discuss e-waste

The Secretariat of the Basel Convention is organizing the Pan-African Forum on E-waste that will be held from 14 to 16 March 2012 in Nairobi, Kenya. The event will take place thanks to the financial support of the European Commission, the Government of Norway, Dell, Microsoft and Hewlett-Packard. Initially planned as a stakeholder meeting in the context of the E-waste Africa project coordinated by the Secretariat, this event is now extended to a forum reaching out to a wider audience in African countries. The Secretariat has partnered with the UNEP Division of Early Warning and Assessment (DEWA), Dell, HP and Nokia in organizing this event.

The Forum aims to bring together relevant stakeholders from African governments, international organizations, academia and the private sector. One of the key objectives of the Forum will be to disseminate the findings of the E-waste Africa project. The project, which is nearing its conclusion, has brought together a wide array of stakeholders in its implementation, including: the Governments of Benin, Côte d'Ivoire, Egypt, Ghana, Liberia, Nigeria, and Tunisia; the Basel Convention Coordinating Centre for Training and Technology Transfer for the African Region (BCCC-Nigeria); the Basel Convention Regional Centre for Training and Technology Transfer for French-speaking countries in Africa (BCRC-Senegal); the Swiss Federal Laboratories for Materials Science and Technology (EMPA); the Institute for Applied Ecology (the Öko-Institut) and; the European Union Network for the Implementation and Enforcement of Environmental Law (IMPEL).

The Forum will also endeavour to identify sustainable solutions to e-waste management in Africa, by developing a clear perspective on an environmentally sound e-waste management framework applicable in the African context. Forum participants will discuss the need for regulatory frameworks and ways of establishing or strengthening national, regional and international collaboration. Lastly, participants will share their views on the advantages of developing a regional approach to e-waste solutions in Africa.

For more information, please contact: Ms. Tatiana Terekhova at tatiana.terekhova@unep.org or tel. +(41 22) 917 8340.

A new publication shedding light on e-waste in Africa

A publication entitled “Where are WEEE in Africa?” has recently been launched by the Secretariat of the Basel Convention.

The results and findings presented in this publication have been generated in the framework of the Basel Convention E-waste Africa programme, which aims at enhancing the environmental governance of e-wastes and creating favourable social and economic conditions for partnerships and small businesses in the recycling sector in Africa. The initial phase of the programme consists of the E-waste Africa project and complementary activities triggered by the project and implemented by partner organizations.

The publication shares information from several studies and activities of the E-waste Africa project developed to assist concerned stakeholders in seeking sustainable solutions with respect to e-waste imports, collection and recycling, policy and legislation and enforcement.

“Where are WEEE in Africa?” sheds light on current recycling practices and socio-economic characteristics of the e-waste sector in selected West African countries and provides quantitative data for electrical and electronic equipment (EEE) in Benin, Côte d’Ivoire, Ghana, Liberia, and Nigeria related to EEE imports, use and e-waste generated. It documents the economic and

environmental potential of building a sound resource recovery and waste management system for e-waste, along with the risks of continuing on the present course.

A copy of the “Where are WEEE in Africa?” publication can be downloaded from www.basel.int.

For more information, please contact: Ms. Tatiana Terekhova at tatiana.terekhova@unep.org or tel. +(41 22) 917 8340.

Mercury

Co-processing: New Partnership with Local Authorities for the Environmentally Sound Management of Hazardous and Other Wastes in the Context of the Basel Convention in South America

The project entitled “New Partnership with Local Authorities for the Environmentally Sound Management of Hazardous and Other Wastes in the Context of the Basel Convention in South America” was concluded with a workshop that took place in Guayaquil, Ecuador on 13 October 2011. The aim of the workshop was to disseminate the results of the project among local and national authorities of Ecuador, as well as other countries of the region such as Chile and Peru. The Basel Convention Coordinating Centre for Training and Technology Transfer for the Latin America and Caribbean Region (BCCC-Uruguay), and the Basel Convention Regional Centre for Training and Technology Transfer for the Central American Sub-region including Mexico (BCRC-El Salvador) participated in the workshop.

A key project milestone was the development of a national law on co-processing of hazardous wastes in cement kilns, adopted by the Government of Ecuador in May 2011. The project aimed at building a public-private partnership to establish, operate and maintain a comprehensive system for the environmentally sound collection, testing and final disposal of oily waste, including the co-processing of oily waste in cement kilns. It involved the local authorities in the Municipality of Guayaquil Ecuador; the Ministry of Environment of Ecuador; the private company Holcim; local industry; as well as the Universities of Quito and Guayaquil.

The project was implemented in phases. The first phase consisted of feasibility studies at the national level and in the District of



Guayaquil. Both studies examined the feasibility of setting up a mechanism for the environmentally sound management (ESM) of used oils. The studies tested various options from minimization, to recycling to destruction by co-processing in a cement kiln. The second phase tested the burning efficiency of a local cement kiln as a solution for the final disposal of oily wastes and compared this solution with two alternative methods for recovery and recycling. In addition to the national law, draft legislation at the municipal level was developed to integrate the ESM principles outlined in the technical guidelines on environmentally sound co-processing of hazardous wastes in cement kilns, adopted by the Conference of the Parties to the Basel Convention at its tenth meeting in October 2011.

For more information, please contact Maria de Lourdes Cepedes, Ministry of the Environment of Ecuador at mariadelourde10@hotmail.com, Carola Zambrano, Project Coordinator at sciaplicrom@gmail.com, Francesca Cenni at francesca.cenni@unep.org or tel: +(41 22) 917 8364

Legal, Compliance and Enforcement Matters

Status of ratifications (as at 1 February 2012)

The Basel Convention welcomes Suriname as the newest Party. There are now 178 Parties to the Basel Convention.

72 Parties have ratified the Ban Amendment to the Basel Convention, the most recent of which are Argentina and Malta.

Update on the work of the Implementation and Compliance Committee

The tenth meeting of the Conference of the Parties to the Basel Convention proved an important milestone in the work of the Committee for Administering the Mechanism for Promoting Implementation and Compliance of the Basel Convention.

COP 10 endorsed several proposals put forward by the Committee. The most notable are adoption of national reporting targets as a way of measuring progress with the overall compliance

with Article 13(3) of the Convention; adoption of harmonized forms for Parties to notify and report information pertaining to national definitions of hazardous wastes and to import or export restrictions; and establishment of a legal framework program for the review and assessment of national legislation to implement the provisions of the Convention as well as to assist parties in the adoption of new legislation or the amendment of existing legislation.

COP 10 also adopted the work programme of the Committee for 2012-2013. It requires that priority be given to the consideration of specific submissions and it also identifies area of further work under the Committee's general review mandate. The Committee is thus also

expected to undertake further activities aimed at improving compliance with national reporting (classification of parties' individual compliance performance with respect to the annual reporting obligation and development of further tools to improve national reporting, such as guidance on the development of inventories) as well as at preventing and combating illegal traffic (development of terms of reference for cooperative arrangements on preventing and combating illegal traffic to improve cooperation and coordination between relevant entities with a specific mandate to deliver capacity building activities; and development of guidance on the take back procedure in case of illegal traffic).

COP10 also elected ten new members of the Committee for two terms.

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Enforcement and Illegal traffic

The Secretariat cooperates with a variety of international organizations and through informal partnerships to support the Convention's objective of preventing and combating illegal traffic in hazardous and other wastes. Since September 2011, the Secretariat has made contributions during several meetings and has supported the efforts of a variety of its partners, for instance:





GCI partners attending the meeting

- Fourth Session of the Conference of the States Parties to the United Nations Convention Against Corruption (UNCAC), Marrakesh, Morocco, 24-28 October 2011;
- Workshop 2011 of the Asian Network for Prevention of Illegal Transboundary Movement of Hazardous Wastes, Shenzhen, China, 29 November – 1 December 2011;
- International Workshop on Counteracting Illegal Waste Shipments, Rotterdam, Netherlands, 14-15 November 2011;
- Eighth Green Customs Partners' Meeting, The Hague, Netherlands, 10-11 January 2012;
- International Hazardous Waste Inspection Month at Seaports in the Asia Region of the International Network on Environmental Compliance and Enforcement (INECE SESN), December 2011-March 2012;
- Operation Demeter II of the World Customs Organization (WCO), 2012; and
- First International Chiefs of Environmental Compliance and Enforcement Summit, Lyon, France, 27-29 March 2012.

The Secretariat of the Basel Convention, jointly with the secretariats of the Rotterdam and Stockholm conventions and in close cooperation with WCO and the International Criminal Police Organization (INTERPOL), is developing further guidance targeted at customs and police. As part of the secretariats' synergized efforts to assist Parties to prevent and combat illegal trade/traffic, the three secretariats have, on 15 December 2011, entered a Memorandum of Understanding with INTERPOL. It provides a joint legal basis for strengthened cooperation on issues of common concern.

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Prosecution of Illegal traffic

For the first time, Parties to the Basel Convention have approved, during the tenth meeting of the Conference of Parties, specific guidance on the issue of prosecuting cases of illegal traffic in hazardous wastes. COP 10 considered and approved a draft instruction manual for the legal profession on the prosecution of illegal traffic. The manual was developed by experts from twenty countries under the chairmanship of Ms. Christine Akello (Uganda). It provides guidance for those involved in the prosecution of cases of illegal traffic by drawing upon best practices and examples taken from the experience of parties to the Basel Convention.

The manual contains seven sections organized as follows: The first section deals with the steps taken to render international law in national legislation by outlining the monist and dualist legal traditions. Section two provides a brief overview of the basic obligations and procedures of the Basel Convention. The third section defines illegal traffic and gives examples of how this definition has been translated into the domestic legislation of some parties. It identifies matters that should be addressed nationally to give full effect to the Convention but that are not addressed in detail in the Convention. Section four sets out the issues that a prosecutor should consider when preparing a case for prosecution and elaborates on the complexities of proving environmental crimes, particularly those involving transboundary movements of hazardous wastes. Section five discusses sentencing and possible penalties for the illegal traffic of wastes, including custodial

sentences, fines and remediation. The sixth section examines how judges and prosecutors can be kept informed of new legal, technical and procedural issues at the national and international levels and where specialist training may be obtained. Finally, section seven provides examples of cases of illegal traffic as reported by the press, competent authorities and prosecutors.

The instruction manual is available at <http://archive.basel.int/meetings/cop/cop10/documents/12a1e.doc>

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Probo Koala Programme: Basel, Rotterdam and Stockholm conventions joint training in Côte d'Ivoire

The secretariats of the Basel, Rotterdam and Stockholm conventions are jointly implementing a programme in Africa to enhance the capacity of African countries to monitor and control transboundary movements of hazardous chemicals and wastes and to prevent illegal traffic. In the framework of this programme, a series of training seminars took place in Abidjan, Côte d'Ivoire from 3 to 12 October 2011. The training focused on enhancing the implementation of the Basel, Rotterdam and Stockholm conventions; the development of an integrated legal framework for the three conventions; prevention of illegal traffic of hazardous chemicals and wastes; the implementation of the International Health Regulations of the World Health Organization (WHO, 2005), including an international alert system in case of accidents; and the environmentally sound management of wastes falling under the scope of the International Convention for the Prevention of Pollution from Ships (MARPOL). The seminars provided opportunities to train and build dialogues among competent authorities and focal points of the conventions, customs, the judiciary, port authorities and other stakeholders involved in the control of transboundary movements of hazardous chemicals and wastes.

The seminars concluded a pilot project that addressed priority actions identified by the Government of Côte d'Ivoire following the dumping of toxic wastes in Abidjan in 2006. BCRC-Senegal implemented the project activities in cooperation with the Ministry of the Environment and Sustainable Development, Côte d'Ivoire, with support from the three secretariats, the WHO and the International Maritime Organization (IMO). The project was

funded by the Quick Start Programme of the Strategic Approach to Chemicals Management (SAICM).

The three secretariats are cooperating to support the implementation of similar activities in other African countries namely: Djibouti, Ethiopia, Gabon, Kenya, Madagascar, Morocco, Mozambique and Tanzania. BCRC-Senegal and the Africa Institute for the Environmentally Sound Management of Hazardous and other Wastes (Africa Institute) are the implementing partners.

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Ship Dismantling

National Workshop on Ship Recycling held in the Philippines

The Philippines, a country whose involvement in the maritime industry is more likely to be linked to the supply of seafarers, may soon become a global ship recycling nation. In November 2011, the Government of the Philippines, in collaboration with IMO, hosted a national workshop on the growth of an international ship recycling industry in the Philippines based on compliance with international safety and environmental standards. The Workshop was designed to improve the participants' understanding of the detailed provisions of the Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, and other international instruments, such as the Basel Convention. It was also developed to assist the Government of the Philippines in determining what steps would need to be taken for successful ratification and implementation of the Hong Kong Convention, with a particular focus on the health, safety and environmental aspects of compliance.

The 3-day workshop was scheduled around presentations from international resource persons from the Secretariat of the Basel Convention, IMO, the International Labour Organization, the United Nations Industrial Development Organization (UNIDO) and representatives from industry. The Secretariat was asked to present on the risks posed to the environment from ship recycling activities, international standards to address the risks, the equivalency between the Basel and Hong Kong conventions and

boundary issues between the two conventions. Following these presentations, discussions ensued over the complementarity of the Basel and Hong Kong conventions and the importance of conforming with the Basel Convention standards for environmentally sound management when handling the hazardous wastes derived from obsolete ships.

The workshop, attended by 75 participants from sectors of the Filipino Government covering transportation, maritime issues, the environment and foreign affairs, was deemed a success by both the organizers and participants. From the positive mood of the workshop, it seems likely that the Philippines may emerge as an important contender on the ship recycling world stage.

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Capacity building activities with respect to ship dismantling/recycling

Under the Secretariat's Global Programme for Sustainable Ship Recycling, a case study is currently being developed through which: (i) models of compliant ship recycling facilities are to be elaborated in consideration of the requirements of the Basel Convention and the Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships and their respective guidelines; and (ii) actions will be identified to be undertaken in the short, medium and long term at ship recycling facilities employing the beaching method to facilitate compliance with the two conventions. Two sets of replicable guidance and train-the-trainer materials are also being developed: the first set for use by management and supervisors at ship recycling facilities and the second set tailored to the needs of the competent authority(ies) who assume(s) regulatory oversight of the industry. This project is funded by the European Commission and the Government of Norway and is scheduled for completion in June 2012.

The Secretariat will launch two other exciting ship recycling initiatives in 2012. The first, scheduled to commence in early March 2012, is a feasibility study on cost effective alternatives to the beaching method of ship recycling. The Secretariat is shortly to commence the selection process for consultants for this important study, which will be completed by the end of the 2012. Funding has recently been confirmed for the second initiative, which aims to assist ship recycling countries to develop downstream capacity for the environmentally sound management of hazardous materials through the development of inventories

of hazardous waste in pilot ship recycling countries and the elaboration of business cases in support of development of the requisite infrastructure. This project will commence in mid-2012 and is scheduled for completion by the end of 2013. Both of the abovementioned projects have been made possible as a result of funding received from the European Commission.

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Synergies

Rotterdam Convention – CRC to review two new chemicals for listing

The eighth meeting of the Chemical Review Committee of the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous (CRC) will be held in Geneva, Switzerland from 19 to 23 March 2012. The CRC will be reviewing two candidate chemicals for possible recommendation to the Conference of the Parties of the Convention (COP) to list these chemicals in Annex III of the Convention.

The two chemicals – dicofol and trichlorfon – are pesticides. For a chemical to be considered by the CRC, it must satisfy the criteria of Annex I of the Convention and must be submitted through a notification of a final regulatory action by two separate Parties aligned to two different geographical regions. The CRC will assess if the chemical satisfies the criteria of Annex II to the Convention before making its recommendation to the COP.

There are 31 independent scientific experts that are members of the CRC and these experts are selected from Parties from across the five United Nations regions. The experts will consider whether these chemicals should be subject to the Prior Informed Consent (PIC) procedure for certain hazardous chemicals and pesticides in international trade. The PIC procedure facilitates information exchange on these chemicals through a national decision-making process on their import and export in shared responsibility and cooperative efforts among Parties to protect human health and the environment from potential harm.

There are currently 43 chemicals listed in Annex III of the Convention. The information provided on these chemicals will contribute to their environmentally sound use and support Parties in making an informed decision about the import of these chemicals into their territory.

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Contributions to the Basel Convention Technical Cooperation Trust Fund

The tenth meeting of the Conference of the Parties to the Basel Convention (COP 10) held in Cartagena de Indias, Colombia adopted a number of far-reaching decisions that set the strategic direction for the implementation of the Convention. To support implementation of the decision adopted on the country-led initiative (CLI), the Governments of Japan, Norway and Switzerland provided financial contributions to the Basel Convention Technical Cooperation Trust Fund to undertake the following activities:

- complete development of a framework for the environmentally sound management (ESM) of hazardous wastes, through the work of a technical expert group, for submission to the eighth meeting of the Open-ended Working Group and the eleventh meeting of the Conference of the Parties to the Basel Convention (COP 11);
- preparation of a study on the interpretation of key terms used in the context of the Basel Convention and possible options for the interpretation of these terms with a view to provide further legal clarity; and
- activities to assist Parties in ratifying the Ban Amendment.

The Government of Switzerland also provided financial support to the planning and organization of COP 11 to be held in 2013.

The European Commission (EC) and the United Nations Environment Programme (UNEP) in December 2011 signed two Strategic Cooperation Agreements (SCAs) for a total of €30.2 million to support the work of UNEP and the UNEP administered Multilateral Environmental Agreements (MEAs) from 2011 to 2013. These SCAs, which are financed under the EU Development Cooperation Instrument (DCI), recognize the need for an overall strategic approach in policy cooperation with improved predictability of EU financial support to joint initiatives and projects. It is expected that this innovative partnership will lead to a greater impact and efficiency of collaborative efforts between EC and the UNEP administered MEAs.

On 14 December 2011, the joint EC-UNEP/MEA programme steering committee set up to manage the SCAs, approved the selection of a first portfolio of more than 40 projects to be implemented by UNEP and MEAs. Specific projects to be funded

under the Basel Convention focus on the Partnership for Action on Computing Equipment; providing legal and governance support for the implementation of the Convention; ESM of waste during ship dismantling; implementation of the New Strategic Framework and CLI; and support for participation of developing countries at COP11.

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International Cooperation

The Basel Convention joins the Partnership on Measuring ICT for Development

The membership of the Secretariat of the Basel Convention (SBC) in the Partnership on Measuring ICT for Development was announced on the first day of the ninth World Telecommunications/ICT Indicators Meeting (WTIM) in Port Louis, Mauritius held from 7 to 9 December 2011. The Meeting was organized by the Telecommunication Development Bureau (BDT) of the International Telecommunication Union (ITU) and hosted by the Information and Communication Technologies Authority (ICTA) of Mauritius. The Partnership is an international, multi-stakeholder initiative to improve the availability and quality of ICT data and indicators, particularly in developing countries (<http://www.itu.int/ITU-D/ict/partnership/index.html>).

Members of the Partnership include ITU, the Organisation for Economic Cooperation and Development (OECD), the United Nations Conference on Trade and Development (UNCTAD), the United Nations Economic and Social Commissions, the World Bank, the Eurostat and the UNESCO Institute for Statistics. The current chair of the Partnership Steering Committee, Mr Torbjorn Fredriksson, Chief of the ICT Analysis Section of UNCTAD indicated that the inclusion of SBC is particularly valuable at a time when growing attention is being paid to the measurement of the environmental implications of ICT, such as the growth of electronic waste.

Measuring e-waste was one of the emerging topics that was explored at the World Telecommunication/ICT Indicators Meeting. Governments, policy analysts, industry and other stakeholders highlighted the need for improved statistical information on the import/export and management of e-waste. SBC will lead the

initiation of a Partnership Task Group to develop indicators to measure e-waste, and will develop Terms of Reference for the Task Group in consultation with interested Partnership members.

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ODS and POPs Destruction Partnership in Central America

As the production and consumption of ozone-depleting substances (ODSs) is phased out under the Montreal Protocol, large stocks of ozone-depleting greenhouse gases (ODGHGs) need to be collected and destroyed. At the same time, persistent organic pollutants (POPs) controlled under the Stockholm Convention are being collected for destruction. Destruction in a suitable facility often requires transfer across borders, since facilities are not available everywhere, especially in developing countries. However, some countries that have the relevant facilities currently prohibit the import of all Basel Convention wastes, including ODSs and POPs wastes, as is their prerogative under the Basel Convention. Given that the same technology can often destroy both ODSs and POPs, there is a potential for synergy and cost saving by coordinated efforts. Thus, there is a synergy between the Basel and Stockholm convention that could lower costs, improve environmentally safe chemical handling, and reduce emissions from hazardous waste destruction facilities.

Under the management of BCRC-El Salvador and with seed funding from Norway and Switzerland, the project "Coordinated Destruction of ODSs and POPs Banks in Central America" is progressing in finding synergies and organizing cooperative efforts between the Montreal, Basel, Stockholm and Climate conventions. The project was organized in and focused on Central America, but the lessons learned from this experience can be applied globally. The project has engaged institutional stakeholders, quantified the banks, designed the incentives, identified appropriate technologies, evaluated barriers, and crafted a strategy. The next step is an application to the Global Environment Facility or the Multilateral Fund for financing a Central America project.

The publication, demonstration, and blueprint serve as a pilot for similar projects worldwide. The project webpage shares the library of documents collected for the project (www.odspops.blogspot.com).

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News from BCRCs

BCRC-China

A Regional Training Workshop on the Partnership for Action on Computing Equipment (PACE) Guidelines was organized by the Basel Convention Regional Centre for Training and Technology Transfer for the Asia and the Pacific Region (BCRC-China) with support of the Secretariat of the Basel Convention in Shenzhen, China from 2 to 3 December, 2011. A total of 34 participants from nine countries in Asia and the Pacific region, academia and industry attended, in addition to observers. The four technical guidelines of PACE were presented by two participating experts, Mr. Michael VanderPol from the Environment Canada and Mr. Oladele Osibanjo from BCCC-Nigeria. The technical practice of e-waste treatment suitable for developing countries was delivered by Dr. Jinhui Li, Director of BCRC-China. All participants actively joined in the discussions on the status, difficulties experienced, future needs and recommendations for the guidelines on e-waste.

BCCC-Nigeria

The inaugural Steering Committee Meeting of the Basel Convention Coordinating Centre for Training and Technology Transfer for the African region (BCCC-Nigeria) will take place in Abuja, Nigeria on 1 March 2012.

BCRC-SEA

The Basel Convention Regional Centre for Training and Technology Transfer for Southeast Asia (BCRC-SEA) and the Secretariat of the Basel Convention are organizing the Workshop on National Reporting and Inventory of the Basel Convention for Asia. The workshop will take place in Banten, Indonesia from 24 to 26 April 2012.

BCRC-Slovakia

The project "Establishment of the Environmentally Sound Management of the Waste from Electrical and Electronic Equipment in Moldova" (October 2011 – September 2012) aims to assist the Republic of Moldova in its preparation of environmental legislation and harmonisation with the relevant European Union regulations. The project proposes a comprehensive system for environmentally sound management of wastes from electrical and electronic equipment. The system proposed based is on the European model of extended producer responsibility. The project intends to strengthen administrative capacity and competencies of relevant governmental stakeholders, in the areas of legislation and customs control. The project is financed through the Slovak Aid Programme.

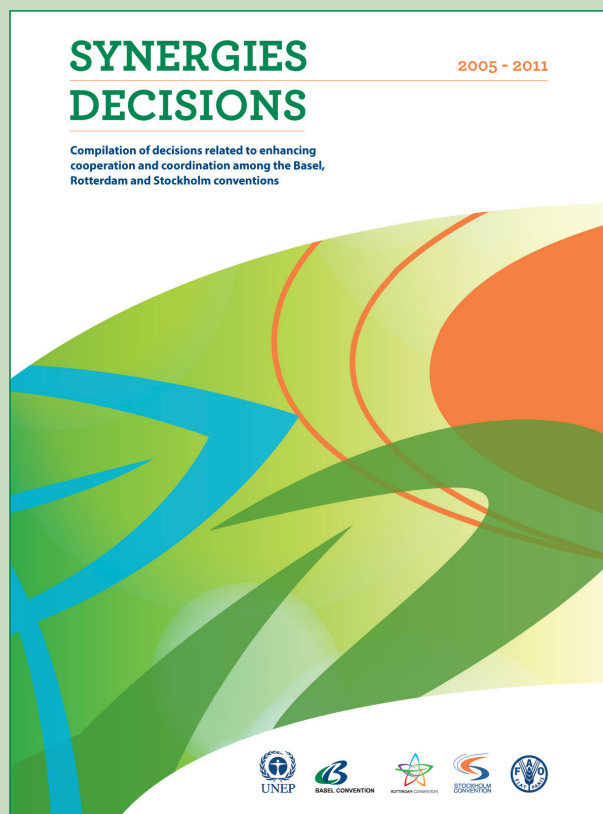
BCRC-Trinidad and Tobago

The first meeting of the Steering Committee of the Basel Convention Regional Centre for Training and Technology Transfer for the Latin America and Caribbean Region (BCRC-Trinidad and Tobago) took place on 16 January 2012 with a full quorum of 6 Steering Committee members. Mr. Kishan Kumarsingh, from Trinidad & Tobago was appointed as the Chairperson and Ms. Gillian Guthrie, from Jamaica was appointed as the Vice-Chairperson for the current biennium. The Steering Committee considered and discussed the Business Plan for the Centre for the biennium 2012-2013. Dr. Ahmad Khan, the Director of BCRC-Trinidad and Tobago, will visit all countries in the region to continue with the needs assessment in relation to the development and execution of the Centre's Business Plan.

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