



Distr.: General
26 August 2004

English only

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

Seventh meeting
Geneva, 25-29 October 2004
Item 6 of the provisional agenda*

**Report on the implementation of the decisions adopted by
the Conference of the Parties at its sixth meeting**

**Report on the fourth session of the consultative meeting
of the Basel Convention Regional Centres, 25 April 2004,
International Environment House, Geneva**

1. The meeting was opened by Executive Secretary of the Secretariat of the Basel Convention, Mrs. Sachiko Kuwabara Yamamoto. In her introductory remarks the Executive Secretary congratulated the government of Uruguay and the representative of SPREP who had signed the Framework Agreements for the establishment of the Basel Convention Regional Centres (BCRCs) in the Latin American and South Pacific regions. She also mentioned the progress made by the South African Government in moving forward in obtaining the signature of the countries in the region to legally establish an intergovernmental organization in South Africa to perform the functions of the BCRC. She acknowledged that the BCRCs are gaining increasing recognition among the countries and also in the process of the joint implementation of MEAs. As a matter of examples, she informed the meeting that the BCRCs in SPREP and Uruguay had been selected by the Parties to the Stockholm Convention to be subject of case studies under that Convention. In addition, the BCRCs in China, Nigeria and Uruguay were invited to attend a meeting organized by the FAO, on technical assistance to implement the Rotterdam Convention. When referring to the programs and projects implemented by the BCRCs, the Executive Secretary indicated that these activities demonstrate the ability of the BCRCs in implementing the Strategic Plan of the Basel Convention and being eligible for more financial support. Finally, the Executive Secretary invited the participants to take the opportunity of this informal meeting of the 'BCRC family' to share views and experience and wished good work to the participants.

2. Mr. Nelson Sabogal, Senior Programme Officer-Capacity Building and Training, thanked everybody for coming to the Workshop. He mentioned that the focus was mainly on the past and current achievements and problems, as well as the future operation of the Basel Convention Regional Centres and the implementation of projects of the Strategic Plan.

* UNEP/CHW.7/1.

3. The implementation of the Business Plans prepared for 2003 and 2004 also should be discussed and the lessons learned from them, for example, the institutional set up, staffing, implementation of projects, bilateral cooperation, strengthening of the Centres, weaknesses of the Centres, opportunities for the future and the regional partnership. He invited the participants to share their views in order to update and better prepare the Business Plans in order to address the needs of the regions and to have already the summary of the projects, in order to use these Business Plans for the work after COP7, use them with the donors and ensure that there will be funding for the project proposals for the Strategic Plan of the Basel Convention.

4. Mr. Sabogal acknowledged that the Regional Centres are very committed to the implementation of the Basel Convention and specifically of the Strategic Plan. This is shown by the high level of interest and number of projects submitted by the Regional Centres last year. He added that on the other hand, we still need to improve the quality of the projects in order that they address the present needs of the regions.

5. He reiterated that other matter that also posed challenges to the projects was the level of funding. Fortunately, the Regional Centres and the Secretariat managed to raise additional funding for five of the 17 projects. He added that we should continue working together towards resource mobilization. He brought the example of the Basel Convention Regional Centre in South Africa that prepared an excellent summary on the activities from July 2000 to September 2003 carried out by the Centre. This information was sent with letters in the search of funding to donor countries and agencies, such as NORAD (in Norway), JICA (in Japan), CIDA (in Canada), DFID (in the United Kingdom), GTZ (in Germany), SIDA (in Sweden), the government of Switzerland and the Development Bank of South Africa, among others, the government of South Africa was kept informed. The Secretariat has supported these activities through letters of support and has also requested the Executive Director of UNEP to discuss with donor countries to promote BCRCs project proposals.

6. He noted that an important element for the development of the BCRCs was the legal establishment of the Centres through the Framework Agreements. To date only two Framework Agreements have been signed with SPREP and the government of Uruguay for the Co-ordinating Regional Centre for Training and Technology Transfer for the Latin American and Caribbean region. The process of negotiation of the Framework Agreements is in an advanced state of preparation, and we hope that the remaining ones will be signed soon. In the specific case of South Africa, where they are establishing an intergovernmental institution, the Agreement for the the African Institute for Environmentally Sound Management of Hazardous Wastes and other Wastes was signed by 10 countries on 31 March 2004 during the Governing Council of UNEP in Jeju, Republic of Korea. The process of ratification by these countries is ongoing.

7. Finally he invited the participants to discuss at the end of the day the content and layout of the brochure on the BCRCs, as well as the updating of the list of workshops and meetings every 3 months.

I. Session on Strategic Plan projects

8. The purpose of this section was to review the work in progress as regards the implementation of the Strategic Plan related projects by BCRCs. The session was also aimed at sharing experience gained through the elaboration and implementation of the projects submitted to the different sessions of the OEWG. The discussion took place in two small working groups. The main issues highlighted by the participants included:

Difficulties related to the lack of human and financial resources:

- The funds allocated to the projects were, in some instances, not matching the funds requested in the project proposals. Several BCRCs, and the Secretariat, had to look for extra resources to cover the full project or downsize the activities.
- It was emphasised that it was difficult to fundraise for the amount of the budget not covered by the trust fund.

- Participants found that UNEP overhead was too high (13%) and that, considering that the Centres also have programme support costs, too much is taken away from the actual activities of the project. In this regard, the participants suggested that, whenever possible, UNEP overhead be reduced and allow for a uniform or systematic overhead percentage for the administrative cost of the Centres.
- The lack of a formal structure of the Centres was also recognised as a weakness in terms of attracting private donors. The framework agreements were recognised as tools to furnish the Centres with this solid structure.
- Related to the previous point, is the lack of staff in the Centre for the elaboration and implementation of the projects (or undertake multiple tasks). It was underlined that the lack of personnel represents a constraint that could in fact, increase the cost of the project.
- The participants expressed great interest in the resource mobilisation initiative and requested guidelines on how to benefit from it.
- Some BCRCs agreed that a possibility for funding would be to introduce a fee to be paid by the countries served.

Administrative and technical matters:

- Difficulties were encountered in the signing of MOUs. One BCRC noted that there was not clarity in who should send the MOU and the steps to be followed. In addition, delay at national level worsened the procedure as high-level authorities needed to sign the agreement. It was said that this reflected the lack of commitment of some ministries. Also at universities, it was noted, there is a certain bureaucracy that delay, for instance, approval for travel.
- Another important obstacle the participants found was the difficulty in obtaining responses from the countries in the region, when consulted issues related to the projects. Furthermore, the identification of contact persons and focal points becomes cumbersome given to changes in governments.
- The standard format of UNEP's reporting system is in English. It would be easier for the Centres if other languages were accepted.
- It was found that there was a long period of time between the elaboration of the project and its actual implementation. This is due to the points described above, including the difficulty in finding additional funds.
- The lack of clarity in the constituencies of the Centres, i.e. the countries served by them, was found to be another difficulty in elaborating and implementing projects.

9. As a result of the exchange carried out at the working groups, the participants underlined that the relationship between the Centres need to be improved. It was found useful to share experience, reports, documents, etc. It was even suggested that directors of the BCRCs meet once a year.

10. Participants also recognised the need to carry out capacity building activities for the BCRCs in order to improve their ability to elaborate, fundraise for and implement projects. In this context, it was emphasised the importance of the participation of BCRCs' directors in all OEWG and COP meetings.

11. The Director of BCRC South Africa was invited to share the experience of Pretoria-BCRC which is currently implementing a multi-year programme of activities funded by a donor. In this regard, Mr. Mbogoma stressed that it is important to try to bring the countries in the region and other stakeholders to trust the Centre. To achieve this, he implemented the following approach:

- Carry out regional training free of charge for participants, to make them appreciate the work and the importance of these seminars, to raise capacity that could be afterwards utilised for further activities (train the trainers) and, especially, to maintain a relationship of trust with the focal points of all the countries.
- Carry out national training, with the agreement that the countries would cover a minimum of 15 % of the costs of the seminar. Such a commitment was necessary to get the country involved and share the ownership of the project, and was achieved thanks to the focal point of the country.
- A marketing strategy is very important. This includes the elaboration of documents and dossiers that reflect the commitment and activities of the Centre.

12. He also suggested a collective effort of all BCRCs to market the Centres.

13. Due to the interest the participants expressed in the resource mobilisation strategy (RMS), Mr. Milton Catelin, the senior Programme Officer of the Partnership Programme (SBC), was invited to give a presentation on the subject. This RMS report identifies several key international agendas as potential initiatives for leveraging funds for the Basel Convention

- UNEP Chemical,
- SAICM,
- Climate change
- Water and sanitation

14. Another goal of the RMS is to improve the cooperation with the World Bank and the GEF. The potential role of the BCRCs will be to talk to the various ministries and Basel focal points with a view to encourage them to lobby their country World Bank and GEF Focal Points on behalf of the Basel Convention.

15. It is important to take into account the requirement to market the Convention and the concept of Hazardous Wastes in different ways to meet the requirements of the various audiences.

16. Mr. Vincent Jugault, Programme Officer (SBC), gave a presentation on the background to the establishment and operation of the BCRCs in the context of the implementation of the Basel Convention. Challenges and opportunities were discussed, based on the experience of BCRCs in preparing their business plans, undertaking training activities and project related activities on specific hazardous waste streams or also in developing partnerships and collaboration activities with different stakeholders, including other MEAS (Stockholm Convention) and industry.

II. Session on the Framework Agreements

17. Ms. Constanza Martinez, Legal expert, (SBC), gave a presentation on the main elements of the Framework Agreements, particularly the practical consequences of the signing of the agreements and proper establishment of the Centres.

18. The BCRCs recognised that they lacked information on the procedure to be followed towards the signature of the Framework Agreements. It appeared in the discussions that the participants needed more information on the consequences emanating from the signature of the framework agreements. The SBC offered its assistance to inform and explain to the BCRCs any issues that would remain unclear, through bilateral meetings during the OEWG3 or any other means the participants considered appropriate.

19. One of the main points raised by the participants was the difficulty in communicating and coordinating with the different ministries, particularly the Ministry of Foreign Affairs. The SBC emphasised the importance of internal, domestic consultations with all the relevant agencies and ministries before the agreement is signed and offered to send letters and contact different ministries in order to accelerate this process of consultation.

20. Some BCRCs expressed concern that, because of some of the articles in the Framework Agreements, the agreements had to be submitted to the parliament of the host country. This, it was said, would prolong the process of signature. In this context, some BCRCs requested that the SBC be more flexible in the process of negotiation of the agreements.

21. Some of the participants questioned the possibility that the Centre could be an independent body from the host government. The SBC underlined the importance of gaining credibility in the region and, therefore, a degree of “separation” between the host government and the Centre is necessary to ensure that the institution is of a regional character. On the other hand, it was recognised that the host government would exercise an influence in the functioning of the Centre due to its location and its permanent participation on the Steering Committee.

22. One BCRC found that the rotation of the steering committee every 3 years would be disturbing in terms of continuity and stability for the Centre, and requested this period to be extended. It was also raised in the meeting that issues of continuity can be addressed through a variety of ways not least in that the representative of the host government is a permanent member of the Steering Committee, as mentioned above. It was added that this is an issue to be consulted at a regional level.

23. Another BCRC suggested that SBC should further assist in negotiating the Framework Agreements, including through country visits, personal contacts were recognised as being highly effective in pushing this agenda forward.

24. The SBC reiterated its offer to assist in providing information, contacting persons in the different ministries and carrying out bilateral meetings to address specific questions and requests.

III. Session on the Business Plans

25. Mr. Jeremy Richardson, environment expert (SBC), gave a presentation on Business Plans, namely on the strengths and weaknesses of the existing Business Plan, need for a revised Business Plan, outline for the future role, and resourcing.

26. One of the BCRCs felt that two more elements needed to be added to the presentation: establishment of partnerships and provision and means of verification, i.e. indicators. Several BCRCs agreed with the latter and emphasised the need for some sort of monitoring and evaluation that would be useful for follow-up activities.

27. Several BCRCs highlighted that they encountered serious difficulties in the elaboration of the Business Plans, two years ago. Among these problems the following were identified as the most important:

- The deadline for submission of the Business Plan was extremely tight and did not leave time to carry out consultations with the focal points in the region and other interested stakeholders. Regional consultation is vital to attribute to the countries in the region a sense of ownership and to be able to take into account the needs of all the countries in the region, as much as possible. Through this process, the Business Plan obtains the legitimacy of the region.
- It was also pointed out that any financial limit set for the business plan may be prejudicial to the capacity of the BCRCs to raise enough funds for the implementation of comprehensive and far-reaching Business Plans.
- Related to the above-mentioned point, the participants stated that, an appropriate needs assessment could not be carried out given the lack of resources.

28. Based on the experience gained through the elaboration of the previous Business Plan, participants shared the views that:

- The development of a coherent and comprehensive business plan is an activity by itself that would require that the appropriate level of funding should be guaranteed.

- The Business Plan (BP) should reflect the political commitment of the Centre and, therefore, include a strategic vision.
- The BP should be considered a marketing tool for the BCRCs and be used with stakeholders including donors. Whenever possible, the BPs should contain some of the concerns of the stakeholders themselves, including the donor community. One BCRC asked the Secretariat to inform the Centres what are the priorities of the donor states and entities.
- The BPs should be based on a fundraising strategy. Another Centre stressed the importance to work closely with the Secretariat in order to build a solid financial mechanism.
- The Strategic Plan should be the instrument that gives the time frame to the BPs. The update of the BPs would be for the 2005-2006 period, including some elements, such as partnership, that would be for longer term, mirroring the Strategic Plan's decade. It was also stated that the Strategic Plan should be the source to build a vision for the BPs.
- A clear role for the focal points of the countries in the region should be advocated and clearly defined in the BPs.
- The activities proposed in the BPs should be instrumental in building the sustainability of the BCRCs.
- Provisions for monitoring and evaluation should be part of the BPs.
- The activities proposed in the BPs should establish linkages and promote implementation of other MEAs, in accordance to the mandates of the BCRCs, the wishes of the countries served by the Centres and in agreement with other MEAs.
- The BCRCs proposed that the SBC develops a Guideline for the update of the BPs.

IV. Conclusion and action to be taken by SBC

29. The meeting was of the opinion that until COP7, the Centres with the assistance of the SBC, should concentrate on the following four major activities:

- The implementation, monitoring and evaluation of on-going projects;
- The elaboration/update of the Business Plans;
- The preparation of a collective approach as regards the evolving role of the Centres,, a resource mobilisation strategy for the BCRCs, the progress to be achieved in signing the Framework Agreements and finally,
- The continuing efforts to secure the signature of the Framework Agreements.

30. In supporting the Centres to complete these tasks, the SBC was invited to undertake the following activities until COP7:

1. Assist the BCRCs in the elaboration of an updated BP. Anticipating to the submission of additional projects and parallel to the elaboration of business plans, the SBC should negotiate with UNEP to reduce the overheads, at least to half and establish a systematic percentage to provide the Centres with funds to cover the programme support costs. It would be desirable to reach an agreement as soon as possible so that the BPs and budgets can be elaborated on the basis of this agreement. This should be done at high level.
2. Identify, from now until COP 7, regional meetings carried out with BCRCs to:
 - (a) Carry out as much as possible, assessment for specific issues included in the previous BPs where seed information already exists

- (b) Consult with countries in the relevant region on the elements of the BPs
- (c) Provide assistance to and facilitate internal consultations on the framework agreements, when appropriate.

In order to be prepared for such meetings, desk officers should look at previous BPs and list the gaps and points where there is clear lack of legitimacy at a regional level.

3. Prepare guidelines for the elaboration/update of the BPs. Desk officers should assist the BCRCs throughout the process and provide assistance where the BCRCs need it. While elaborating/updating the BPs, the possibility of taking into account and making operation the resource mobilisation strategy should be present.

4. Organise the marketing of the BCRCs at the global level. At the minimum this should include the organisation of side events during the COP. In addition, consider the possibility of sending letters referring to information on the website or promoting specific activities carried out by the Centres. The elaboration of a comprehensive and attractive brochure should be in the list of activities. This would respond to the request from the Centres that collective efforts should be made to promote the Centres.

5. Organise training and capacity building activities, within the limits of resources available, prioritising those Centres which have been formally established and, therefore, whose directors have been nominated.
