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

Bali, 23–27 June 2008

Item 7 (c) of the provisional agenda*

**Implementation of the decisions adopted by the
Conference of the Parties at its eight meeting:
Nairobi Declaration on the environmentally sound management
of electrical and electronic waste and decision VIII/2**

Options for a Global E-waste Advisory Body

Note by the Secretariat

1. Reference is made to paragraph 3 (b) of decision VIII/2 on creating innovative solutions through the Basel Convention for the environmentally sound management of electrical and electronic waste (e-waste), whereby the Conference of the Parties, among other things, mandated the Open-ended Working Group, beginning at its sixth meeting, to develop a work plan for consideration by the Conference of the Parties at its ninth meeting on the environmentally sound management of e-waste focusing on the needs of developing countries and countries with economies in transition, which should include the monitoring of developments in the environmentally sound management of e-waste.

2. At the sixth session of the Open-ended Working Group to the Basel Convention in September 2007, delegates expressed a general interest in the concept of a forum to undertake the proposed monitoring activities on e-waste but some representatives thought that the establishment of a global partnership on e-waste might not be justified. The representative of a group of Parties commented that further information on the proposals and options for the body would be needed before the concept could be considered further at the ninth meeting of the Conference of the Parties.

3. In decision OEWG-VI/23, the sixth session of the Open-ended Working Group requested the Secretariat to develop further the options for the monitoring of developments in the environmentally sound management of e-waste within the context of the proposed workplan on e-waste for 2009-2010. Based on this decision the secretariat has prepared a draft proposal for a global e-waste advisory body as set out in the annex to the present note for consideration of the Conference of the Parties. This document has not been formally edited.

* UNEP/CHW.9/1.

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Annex

Options for a Global E-waste Advisory Body

I. Rationale for a Global E-waste Advisory Body

1. Reference is made to paragraph 3 (b) of decision VIII/2 on creating innovative solutions through the Basel Convention for the environmentally sound management of electrical and electronic waste, whereby the Conference of the Parties, among others, mandated the Open-ended Working Group, beginning at its sixth meeting, to develop a work plan for consideration by the Conference of the Parties at its ninth meeting on the environmentally sound management of e-waste focusing on the needs of developing countries and countries with economies in transition, which should include the monitoring of developments in the environmentally sound management of e-waste.
2. Currently there are many bodies involved in e-waste issues. Therefore, such a body is needed to monitor all undergoing e-waste activities including those that are implemented by national governments, international governmental organizations, specific industries and NGOs, or international initiatives, in particular those that are in place under the Basel Convention (MPPI, PACE, Asia Pacific, Basel Convention Regional Centres (BCRCs)), and other relevant e-waste initiatives by international organizations such as UNEP, UNU-STeP, and UNESCO. For more information on some of these initiatives, please refer to the relevant pre-session documents prepared for this meeting.
3. Being a global treaty, the Basel Convention is well placed to establish such a body, in particular, a clear and strong mandate already exists for such a function under decision VIII/2, and the importance of the e-waste agenda internationally is reflected in the Nairobi Declaration on the Environmentally Sound Management of Electrical and Electronics Waste adopted by the eighth meeting of the Conference of the Parties to the Basel Convention in December 2006. The Secretariat of the Basel Convention by itself could not provide that monitoring function because of the lack of available resources. Furthermore, this task would be best undertaken by Parties to the Convention. However, the Secretariat can provide administrative support for the functioning of the body, if one was to be established.

II. Terms of Reference of the E-waste Advisory Body

4. The proposed Terms of Reference of the E-waste Advisory Body are as follows:
 - (a) To monitor the developments in the environmentally sound management of e-waste;
 - (b) To guide the work of partnership working groups under the Basel Convention addressing sub-categories of e-wastes to ensure coherence and to avoid duplication of resources;
 - (c) To identify priorities for e-waste activities to be implemented under the Basel Convention;
 - (d) To provide strategic advice on e-waste to the Open-ended Working Group and the Conference of the Parties;
 - (e) To provide advice on coordination of activities and outputs undertaken to advance environmentally sound management of e-waste in the Convention and maintain an overview of global activities and developments in e-waste;
 - (f) To raise awareness of e-waste activities under the Convention, in particular the three regional programmes in which partnerships are already in operation or under development, for example, in Asia-Pacific, Latin America and Africa;
 - (g) To provide advise on resource mobilization for e-waste activities.
5. The Advisory Body should not try to coordinate all e-waste initiatives, in particular those in individual countries, as this task would be too large to be practicable. If information on such individual initiatives and national activities are needed, Parties could be asked to report to the Secretariat as part of Article 13 reporting requirements.

III. Options

Option I: Forum of Experts

6. An advisory body on e-waste is proposed to serve as an open-ended Forum of Experts to *inter alia* facilitate information exchange, coordinate results and activities undertaken to advance environmentally sound management of e-waste, maintain an overview of global activities and developments in e-waste and raise awareness for regional programmes in which partnerships are already in operation or under development such as in Asia-Pacific, Latin America and Africa. The forum would primarily conduct its work electronically through teleconferences, electronic mail, and other electronic means. Under this option, there may be a need to elect a facilitator in order to ensure the discussions and discussions are focused on certain selected and agreed agenda.

Option 2: Advisory Panel

7. In contrast to the Forum of Experts, the Advisory Panel is proposed to consist of a limited number of multi-stakeholder participants. The Advisory Panel would have membership primarily selected from Parties, Signatories, international governmental organizations, industry and non-governmental organizations involved in e-waste activities. Government-led multi-stakeholder Panel would be the best forum to be able to identify new public-private partnerships that would be required to deliver on objectives of the e-waste programme under the Basel Convention.

8. The Advisory Panel would have 5 members from developing countries and countries with economies in transition, 5 members from developed countries and one from each of international organizations involved in e-waste related activities (e.g. UNEP, UNCTAD, UNU, UNESCO), 2 industry representatives and a civil society organization. Members of the Advisory Panel, serving for a renewable 2-year terms, would participate on their personal basis as experts, irrespective of their representation. Government experts would be nominated by the regional groups. Two co-chairs would be selected from among members of the body, one from a developed country, and one from a developing country.

9. The Advisory Panel would primarily conduct its work electronically through teleconferences, electronic mail, or other electronic means. Physical meetings, conducted in English only, could take place once a year in association with another meeting in order to reduce additional costs. An extra-budgetary contribution would be needed to support costs for this effort, primarily to cover travel costs and costs for teleconference service of participants from developing countries or countries with economies in transition. The Secretariat of the Basel Convention (SBC) would participate on an ex-officio basis and would provide secretarial support for the work of the body. The Advisory Panel would also invite participation, on an ad-hoc basis, of experts responsible for different life cycle stages of e-waste management (for example e-product design, collection, refurbishment, recycling, and disposal) when that particular subject is being discussed and expert advice is needed.

10. Based on 2 options listed above, it is suggested that option 2 would be the best option to minimize unnecessary bureaucracy, maximize results, and require minimal cost to be operational. At the same time it would ensure that all ongoing e-waste initiatives, at the international level, are monitored and coordinated effectively.

IV. Resource implications

11. It is foreseen that both options for the Advisory Body will have minimal additional cost implications to the Convention's budget. Some voluntary funding, to be made through the Basel Convention Trust Funds, is however required for the provision of secretarial support by the secretariat, travel costs and costs for teleconference service of participants from developing countries or countries with economies in transition.

V. Proposed action

12. The Conference of the Parties may wish to consider the above options and adopt the draft decision as set out in paragraph 5 of document UNEP/CHW.9/9.