

BAN and IPEN Quick Views of Basel COP13

April 2017

The following is a summary of views on issues that the Basel COP13 will be called upon to address:

Technical assistance and regional centres

- COP13 should welcome the recommendations by regional centres on marine litter plastics and microplastics and invite them to continue future activities as outlined in Annex VI of UNEP/CHW.13/INF/29 - UNEP/POPS/COP.8/INF/26
- Considering the large remaining stockpiles of PCBs, technology transfer of non-combustion methods of destruction that meet Convention requirements is a high priority.
- Training on national reporting and collection of inventory data is critical to Convention implementation.
- A direct “learning by doing” approach could be more effective and sustainable than workshops in getting technical assistance for specific problems and learning how to tackle similar issues in the future.
- Regional centres should increase the involvement of public interest NGOs and civil society in their work through direct participation in the design and implementation of projects and this criterion should be included in their evaluations and reporting.

Financial resources

- Partnerships are not a substitute for a functioning financial mechanism or the need to internalize costs within the chemicals and wastes industry.
- The Special Programme should include a needs assessment in its design to ensure that it actually meets the needs of countries and its stated goals, particularly since it is time-limited.
- The COP should invite the Executive Board of the Special Programme to consider the important role of public interest NGO contributions to Convention implementation and institutional strengthening so as to permit some funding of NGO activities in line with Programme objectives.
- Since needs for funding outlined in Article 14 have not materialized, other sources of funding should be explored including economic instruments to recover costs from companies that have produced hazardous wastes and/or countries in which they are based. This is supported for PCBs in para 45 – 47 of UNEP/CHW.13/INF/40

Compliance

- Convention compliance needs to be improved:
 - Approximately ½ of the Parties (53%) have not reported for the year 2013 as required. The overall rate of submission since 2009 has not improved. This should be rectified as soon as possible.¹
 - Of Parties that reported, 70% provided incomplete answers on the total amount of hazardous wastes and other wastes generated in 2011 (Article 1 (1)a, 1(a)b, Annex II: Y46-Y47).
 - Of Parties that reported, 39% did not provide complete answers on disposals which did not proceed as intended and 37% reported accidents occurring during the transboundary movement and disposal of hazardous wastes and other wastes.

POPS waste

- Stockholm Convention COP8 and Basel Convention COP13 should adopt the following low POP content levels:
 - PCDDs and PCDFs: 1 ug TEQ/kg (1 ppb)²
 - HBCD: 100 mg/kg (100 ppm)
 - HexaBDE, HeptaBDE TetraBDE, PentaBDE as a sum: 50 mg/kg (50 ppm)
 - Polychlorinated naphthalenes (PCNs): 10 mg/kg (10 ppm)
 - PCBs: 10 mg/kg (10 ppm)
 - Pentachlorophenol (PCP): 1 mg/kg (1 ppm)
 - Hexachlorobutadiene (HCBd): 10 mg/kg (10 ppm)

¹ UNEP/CHW.13/INF/26

² Includes dioxin-like PCBs

- Products containing POPs should be labelled in order to effectively manage the products in waste streams and their inventories. This includes products in phase-out as well as products recycled under currently permitted exemptions.
- PCP technical guidelines (UNEP/CHW.13/6/Add.3) para 96 should delete the text in brackets and read: *“Destruction and irreversible transformation methods for the environmentally sound disposal of wastes with a content of PCP, its salts and esters above 1-100 mg/kg are available in subsection IV.G.2 of the general technical guidelines.”*
- Work to establish levels of destruction and irreversible transformation, low POPs content, and other POPs wastes issues for newly listed POPs. should be carried out collaboratively by appropriate bodies of both the Basel and Stockholm Conventions including the POPRC, Toolkit, and BAT/BEP expert groups and not simply handed to Basel Convention bodies.
- The COP should urge parties to also apply BAT/BEP guidelines to source categories listed in Annex C of the Convention, particularly those listed among ESM technologies in the Basel Technical Guidelines.
- In the technical guidelines, POPs waste destruction options should not only list incineration and cement kiln co-incineration technologies but also non-combustion techniques such as Gas Phase Chemical Reduction (GPCR) and/or Base Catalysed Decomposition (BCD).
- New non-combustion technologies such as Copper Mediated Destruction should be added to the updated General Technical Guidelines on POPs wastes.
- Preference should be given to non-combustion techniques for POPs destruction to avoid undermining treaty objectives through promotion of technologies that create wastes contaminated by unintentionally-produced POPs.

E-waste guideline

- Paragraph 31(b) of the interim guideline allows broken electronic equipment to be exported as non-waste no matter how hazardous this waste might be. This is despite the impossibility of determining or ensuring that such "repair" even takes place nor whether such "repair" generates hazardous residues in the receiving country.³
- The paragraph 31(b) loophole must be closed.
- COP13 should form a small intersessional working group to rectify this problem and complete the guidelines

Glossary of terms

- COP13 should adopt the glossary of terms to further Basel Convention implementation.

Revision of annexes

- COP12 created a very important opportunity to revise the Annexes of the Convention to add new hazards (Annex III) and hazardous substances (Annex I and VIII) and waste destinations (Annex IV) that have become known or problematic since the advent of the Convention. These additions should include:
 - Adding repair of non-functional equipment to Annex IV (b).
 - Adding certain plastics (e.g. those containing POPs and heavy metals as additives, those that emit hazardous emissions when melted or burned) to the list of hazardous wastes (Annex VIII).
 - Adding Endocrine Disruption, ozone depletion, and other hazards to Annex III.
 - Removing all references to direct reuse from Annex IV.

Household waste partnership

- COP13 should establish a working group of the household waste partnership to implement the workplan outlined in UNEP/CHW.13/15.
- The household waste partnership should synergize with work on implementation of the Cartagena Declaration.
- The household waste partnership should promote cleaner and healthier methods of treatment and disposal of different components of wastes. Anaerobic digestion should be preferred for organic wastes and preference should be given to non-combustion techniques and technologies for management of household wastes to avoid undermining the objectives of the Stockholm Convention through promotion of technologies that create wastes contaminated by unintentionally-produced POPs.

³ For more information see <file:///Users/jimpuckett/Downloads/UNEP-CHW-SUBM-GUID-TGsEWaste-Comment-2-BAN.English.pdf>

Cartagena Declaration

- COP13 should request the expert working group on environmentally sound management to further develop the draft guidance in developing efficient strategies for achieving the prevention and minimization of the generation of hazardous and other wastes and their disposal.
- The guidance should include private sector responsibility to make products that are non-toxic, durable, reusable, easy to dismantle, repair and rebuild; minimally and appropriately packaged; recyclable and/or compostable at the end of life and to periodically publicly report on progress.
- The guidance should recommend the use of waste audits to find out the amount and type of waste being produced, imported, and exported.
- The guidance should recommend zero waste procurement practices including zero waste products; reusable shipping containers; and reduced packaging; and recycled and compostable products.

Illegal traffic

- COP13 should request the secretariat to update a report on using the synergies of the three conventions to mobilise maximum efforts to combat illegal traffic of hazardous chemicals and wastes, including loopholes for repair, reuse, and/or recycling.