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**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**

International cooperation 2003–2004

Note by the Secretariat

I. Introduction

1. In its decision VI/29 on international cooperation, the Conference of the Parties requested the Secretariat, among other things, to continue its effective intergovernmental cooperation and to strengthen it in areas of importance to the implementation of the Basel Convention. In its decision VI/30 on cooperation with the World Trade Organization (WTO), the Conference requested the Secretariat to seek observer status at meetings of the WTO Committee on Trade and Environment; to report on WTO meetings it attended; to monitor developments in WTO discussions on trade and the environment; and to provide, when called upon and in consultation with the Parties, general information to WTO on trade provisions of the Basel Convention.

II. Implementation

2. In line with the wish of the Parties, the Secretariat has prepared a comprehensive report on international cooperation, focusing on developments during 2003–2004. That report is set out in the annex to the present note. Also, in regard to cooperation with WTO, the Secretariat has developed a page on the Basel Convention web site reporting on developments in the WTO discussions on trade and environment.

III. Proposed action

3. Please refer to document UNEP/CHW.7/2, which contains a compilation of draft decisions for possible adoption by the Conference of the Parties.

* UNEP/CHW.7/1.

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I. Persistent organic pollutants

A. Africa Stockpiles Programme

1. The Secretariat has pursued its involvement in the first phase of the implementation of the Africa Stockpiles Programme. The total amount committed so far to the programme is over \$50 million, including \$25 million from the Global Environment Facility (GEF), \$1.5 million from the World Bank, 1 million euros from the European Union, over \$15 million from bilateral donors and \$8 million from the plant science industry trade association, CropLife International. The objectives of the programme are to eliminate obsolete stocks of pesticides in Africa and to put in place preventive measures to avoid the unnecessary further accumulation of such pesticides. It will, in its current first phase, cost an estimated \$46 million to prepare projects and clean up existing stockpiles of obsolete pesticides in Ethiopia, Mali, Morocco, Nigeria, South Africa, the United Republic of Tanzania and Tunisia and to prepare nine more projects. Discussions are being pursued the role the Basel Convention regional centres in Africa might play in the implementation of the programme.

B. South Pacific Regional Environment Programme

2. The Secretariat participated in a Pacific regional workshop on national implementation plans for the Stockholm Convention on Persistent Organic Pollutants in parallel with a workshop for Basel and Waigani convention¹ competent authorities on the use of the control system and a non-governmental organization awareness-raising workshop on persistent organic pollutants (POPs), held from 26 to 30 May 2003 in Nadi, Fiji. The workshop was organized by the South Pacific Regional Environment Programme (SPREP) and UNEP Chemicals, and was attended by participants from Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Marshall Islands, Nauru, New Zealand, Palau, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu and Vanuatu. For the Basel and Waigani Convention workshop, the resource persons were from Australia, SPREP and the Secretariat. The Secretariat and SPREP are cooperating in the preparation of a project aimed at gathering preliminary elements of a regional strategy for integrated waste management in Pacific island States. This project is supported by the United Nations Environment Programme (UNEP) regional seas programme. A permit application manual for the Waigani Convention was finalized for adoption by the Conference of the Parties to that Convention at its second meeting, in September 2004. This draft document was based mainly on the *Basel Convention Instruction Manual on the Control System for Transboundary Movements of Hazardous Wastes and Other Wastes* (SBC Series No. 98/003), which was adopted by the Conference of the Parties at its fourth meeting, in 1998, with modifications to address the specific needs of the Pacific Region.

II. Integrated toxic chemicals and hazardous waste management

A. Intergovernmental Forum on Chemical Safety

3. The fourth session of the Intergovernmental Forum on Chemical Safety (IFCS Forum IV), convening under the theme "Chemical Safety in a Vulnerable World," took place from 1 to 7 November 2003 at the United Nations Conference Centre in Bangkok, Thailand. Approximately 630 participants representing over 100 Governments, intergovernmental organizations, non-governmental organizations and industry attended. The main outcomes of Forum IV include:

(a) The Inter-Organization Programme for the Sound Management of Chemicals (IOMC) Pollutant Release and Transfer Register (PRTR) Coordinating Group reported to Forum IV on progress in implementing Forum III goals on PRTRs and emission inventories, as

¹ The Convention to Ban the Importation into Forum Island Countries of Hazardous and Radioactive Wastes and to Control the Transboundary Movement and Management of Hazardous Wastes within the South Pacific Region.

requested by Forum III, which proposed to continue raising PRTR awareness at the international level and to establish a clearinghouse for PRTR support activities;

(b) With respect to children and chemical safety, the Forum concluded that it was necessary to consider chemical exposures that occur during preconception, throughout gestation, infancy, childhood and adolescence. It recommended that Governments prepare, through multi-stakeholder consultations, initial national assessments of children's environmental health and chemical safety, as well as a progress report to Forum V. It requested the World Health Organization (WHO) to assist at least three countries in different stages of economic development in each region in preparing their assessment and action plans by 2006;

(c) With respect to occupational safety and health, the Forum urged the International Labour Organization (ILO), WHO and the Food and Agriculture Organization of the United Nations (FAO) to strengthen collaboration in occupational safety and urged relevant Forum participants to undertake actions on programme areas A (assessment of chemical risks), B (harmonization of chemical classification and labelling), C (information exchange), D (risk reduction programmes) and E (capacity-building);

(d) The Forum agreed on a priority for action on hazardous data generation and availability, which states that, for all commercial chemicals, appropriate hazard information should be made available to the public and other information should be accessible according to a balance between the public's right to know and the need to protect valid confidential business information;

(e) The Forum also concluded that Governments should take various actions to reduce pesticide-poisoning incidents, including policy, regulatory, and communication actions;

(f) The Forum adopted decisions on capacity-building assistance and addressing the widening gap among countries in following chemical safety policies. It invited the private sector and civil society to participate in efforts and encourage recognition of the importance of sound management of chemicals in poverty eradication; the promotion of dialogue with international development assistance institutions; and integration of chemicals issues into all relevant activities. It further recognized the need to bridge the wide gaps that exist between developed and developing countries in their ability to pursue chemical safety policies;

(g) Representatives considered a revised draft action plan concerning the Globally Harmonized System for the Classification and Labelling of Chemicals (GHS). Many representatives expressed support for the draft action plan, although many also raised concern about the 2008 target and the transition period for global implementation;

(h) On illegal traffic in hazardous chemicals, representatives agreed to reiterate with urgency the need to take action at the national level in accordance with the recommendations of Forum III;

(i) Regarding the strategic approach to international chemicals management (SAICM), the representatives adopted a thought-starter report² for submission to the first session of the Preparatory Committee for the Development of a Strategic Approach to International Chemicals Management. The report contains a preface, a summary, and sections on the centrality of chemicals in a modern world; life-cycle management of chemicals since Agenda 21; new and ongoing challenges; chemicals management regimes; gaps in life-cycle chemicals management; resources for capacity development and implementation; and increased coordination and linkages. It also contains an overview of the main discussion points raised in Forum IV and an annex containing tables that identify key themes in the Bahia Declaration and Priorities for Action Beyond 2000. The summary clarifies that the report is a compilation of issues and not a negotiated document;

(j) The Forum agreed that it should provide direction for the development of chemicals-related agreements and set the direction for addressing new hazardous chemicals beyond the scope of existing multilateral environmental agreements;

(k) The Forum also agreed that there was a need to place the issue of illegal traffic high on the agenda of the IOMC governing bodies, which have both the financial and technical resources necessary to take real action on the issue. While IFCS had had growing attendance and

² See document IFCS/Forum-IV/13W Rev.2.

received continued praise for its participatory nature, the diversity of delegations could still be improved. Many delegations, especially from developing countries, consisted predominantly of health and agricultural officials and lacked the support of environmental officials who are more active in the international chemical conventions and could provide important input to the Forum's attempts to create more coherence and synergies.

B. United Nations Institute for Training and Research

4. The Secretariat attended the tenth meeting of the United Nations Institute for Training and Research (UNITAR)/IOMC Programme Task Force, at which the task force considered the UNITAR/IOMC programme to assist countries in developing and sustaining an integrated national programme for sound chemicals and waste management. The purpose of the meeting was to discuss the features and objectives of pilot projects to be carried out in selected countries, namely, Chad, Jamaica and Jordan, for new integrated chemicals and waste programmes as well as to review relevant guidance documents for developing such an integrated approach.

III. Strategic approach to international chemicals management

5. The first session of the Preparatory Committee for the Development of a Strategic Approach to International Chemicals Management took place at the United Nations Conference Centre in Bangkok, Thailand, from 9 to 13 November 2003. The session marked the first substantive step in the SAICM process, which is expected to culminate in a final international conference on chemicals management. Convened jointly by UNEP, IFCS, IOMC, the World Bank and the United Nations Development Programme (UNDP), the session brought together more than 400 participants representing over 120 countries, 14 United Nations bodies, four intergovernmental organizations, 24 non-governmental organizations and other observers.

6. Of major interest to the Parties to the Basel Convention is the identification of the main international initiatives or programmes, e.g., IFCS, IOMC, SAICM, GHS and PRTRs, in which the waste dimension needs to be adequately taken into account to meet the SAICM goals, as well as those of the Convention in the context of the life-cycle management of materials. The general obligations of the Parties to the Basel Convention are to ensure the reduction of the generation of hazardous and other wastes, the availability of adequate treatment, recovery, recycling and disposal facilities for hazardous wastes, the minimization of the harmful consequences of pollution to human health and the environment, and the reduction of transboundary movements of such wastes, all of which necessitate an integrated approach to chemical and waste management.

7. The 1999 Basel Declaration on Environmentally Sound Management and the Strategic Plan for the Implementation of the Basel Convention (to 2010), adopted by the Conference of the Parties at its sixth meeting, provide the framework and foundation for Parties and other stakeholders to enhance their capacity to implement the Convention and to support the process of international environmental governance. Both chemical and waste-related multilateral agreements should aim at a common resource mobilization strategy and not compete for the same sources of funding. Such a cooperative approach would send a strong message about the importance of an integrated and intelligent approach to waste and chemical issues.

8. There was broad support for the idea that SAICM should involve a three-tier approach that would comprise a global programme of action with targets and timetables; an overarching policy strategy; and a high-level or ministerial declaration to adopt the former two. Many representatives stressed that SAICM should avoid duplication with other international agreements and called for implementation of, and synergies among, existing chemicals-related agreements.

9. Several participants stressed that SAICM should be a political statement, and not encompass legally binding agreements. Some delegates supported leaving open the option of adopting future legally binding commitments. The need for transparency and full stakeholder participation was also stressed by many participants. Many delegates underscored the importance of addressing the widening gap among countries in following chemical safety policies, and the need to mainstream chemical safety into other policy areas, particularly poverty reduction. In addition, many participants stressed the need to provide capacity-building and financial assistance to developing countries and countries with economies in transition to ensure the

achievement of SAICM objectives. It was generally agreed that SAICM objectives should be linked to the target of the World Summit on Sustainable Development that by 2020 chemicals be used and produced in ways that lead to the minimization of significant adverse effects on human health and the environment. Many delegates stressed the relationship between SAICM and IFCS, and emphasized that SAICM should build on the outcomes of IFCS Forum IV.

10. There was broad agreement that SAICM should have as its overarching goal the Johannesburg Summit goal that chemicals be used in a way that causes no adverse effect on human health or the environment by 2020, as stated in paragraph 23 of the Johannesburg Plan of Implementation.³ Other goals include possible specific objectives, such as the reduction of risks posed by chemicals to human health and the environment, with a focus on measurable indicators, and the elimination of production and use of hazardous chemicals, such as PBTs, endocrine disruptors, carcinogenic, mutagenic, and reprotoxic substances and heavy metals. The preliminary list of principles and approaches includes the precautionary principle, the substitution principle, the prevention principle, the polluter pays principle, the right-to-know principle, the life-cycle approach, the partnership approach, and liability and accountability.

11. The proposals presented by representatives included proposals to incorporate a broad scope addressing all stages of the life cycle of chemicals in a so-called “cradle-to-cradle” and “cradle-to-grave” manner; to exclude pharmaceuticals, military uses, and food additives; and consider all potentially harmful chemicals, without exclusion.

12. The Secretariat participated at a regional workshop on promoting the coordinated implementation of the Basel, Rotterdam and Stockholm conventions in Central and Eastern Europe from 6 to 8 April 2004 in Riga, Latvia. The workshop focused mainly on the discussion and exchange of experiences on how to promote ratification and adoption of an integrated approach to the implementation of the conventions at the national and regional levels; promote cooperation and coordination between focal points and identify opportunities for the development of common projects on the sound management of chemicals and wastes; and identification of possibilities for enhancing joint implementation of the conventions.

IV. Enforcement and control

A. European Union Network for the Implementation and Enforcement of Environmental Law-Transfrontier Shipment project

13. The European Union Network for the Implementation and Enforcement of Environmental Law – Transfrontier Shipment project (IMPEL-TFS) is a network of representatives from enforcement authorities of European Union member States and other European countries dealing with transfrontier shipments of waste. It is also a cluster of projects within the European Union Network for the Implementation and Enforcement of Environmental Law on implementation and enforcement of environmental laws in the European Union. The IMPEL-TFS network was set up in 1992 in order to harmonize the enforcement of the European Union’s Council Regulation (EEC) No. 259/93 of 1 February 1993 (replacing EC directive 84/631) on the supervision and control of shipments of waste within, into and out of the European Community. The aim of the network is:

- (a) To promote compliance with EEC regulation 259/93 through enforcement;
- (b) To carry out joint enforcement projects; and
- (c) To promote exchange of knowledge and experience with the enforcement of EEC regulation 259/93. Every year, IMPEL-TFS holds a plenary conference at which the working programme for this cluster is discussed. In addition, IMPEL-TFS tries to provide useful information concerning transfrontier shipments of wastes for companies as well as competent authorities.

³ See document *Report of the World Summit on Sustainable Development*, Johannesburg, South Africa, 26 August–4 September 2002 (United Nations publication Sales No. E.03.II.A.1) chap. I resolution 2, annex.

14. The Secretariat participated at a workshop on IMPEL-TFS from 23 to 25 June in Prague, Czech Republic, and gave a presentation on the status of a pilot project for the monitoring and control of transboundary movements of hazardous wastes in the Asian region; the outcome of the sixth meeting of the Conference of the Parties to the Basel Convention; and the outcome of the first meeting of the Basel Convention Open-ended Working Group, emphasizing the submission of projects to be funded under the Strategic Plan. It also participated in a working group that discussed a project for more effective monitoring of transboundary movements of wastes; provided input on the process for submitting projects for funding under the Strategic Plan as well as the possible roles of the Basel Convention regional centre in Bratislava, including in the IMPEL-TFS work.

15. The conference focused mainly on the European Union's waste shipment regulations and how they are implemented in practice to control the movements of wastes between member countries. This knowledge was important, as the countries present were European Union accession countries and parties to the Basel Convention. The workshop was organized by the European Union and the IMPEL secretariat, and was hosted by the Environmental Inspectorate of the Czech Republic. The workshop was attended by about 60 participants from IMPEL member countries and European Union accession countries.

16. The conference gave the Secretariat the opportunity to follow the progress of the IMPEL-TFS project, whose experiences are useful in the implementation of the pilot project for the monitoring and control of transboundary movements of hazardous wastes in the Asian region, and promote exchange of knowledge and experience with the enforcement of the waste shipment regulation and the Basel Convention. One of the new projects being implemented under IMPEL-TFS is a threat assessment on transfrontier shipment of wastes, which is aimed at determining the extent of illegal trafficking activities; methods used to detect illegal traffic; information gathering from various sources; and other matters. Emerging issues in the enforcement and control of wastes were also discussed, including problems with used electrical goods such as refrigerators, wrecked cars and green-listed wastes.

17. Some of the major conclusions of the conference were that member States and accession States would submit proposals for funding projects related to transfrontier shipment to the Open-ended Working Group of the Basel Convention; support centres for implementing waste shipment regulation and the Basel Convention should be established, commencing with a centre in Brno, Czech Republic; further consideration should be given to the control of green-listed wastes, wrecked cars and old refrigerators; customs officers and the World Customs Organization (WCO) would be invited to participate in future IMPEL-TFS conferences; and member States would support the accession countries in the enforcement of waste shipment regulation and the Basel Convention through the IMPEL network.

B. World Customs Organization

18. Three proposals for the listing of certain additional wastes in the GHS had been presented to the Harmonized System Committee at its thirty-second session in November 2003 by the Secretariat of the Basel Convention. These were for:

- (a) Waste personal computers, including associated hardware, electronic equipment and waste cellular phones;
- (b) Coal fired power station fly ash;
- (c) Waste of inks, dyes, paints and lacquers.

The Harmonized System Committee, referring to all three categories of waste, felt that the scope of these categories and the criteria for how to identify and distinguish between wastes and the products from which they originated had to be clarified.

19. Concerning coal fired power plant fly ash, several representatives agreed with the opinion of the WCO secretariat (which had in fact been the proposal of the Secretariat of the Basel Convention) that it could be classified under heading 26.21. They expressed some concern as to whether it was possible to distinguish between fly ash from coal fired power plants and fly ash from other sources, e.g., ash obtained from the combustion of oils or other materials. Whether the product had some economic value and whether it could be and was used for the recovery of certain compounds would also merit consideration.

20. In conclusion, the Committee committed itself to examining the issue as soon as possible and instructed the Secretariat to undertake a study of the matter in close cooperation with the Secretariat of the Basel Convention. It also decided that the concerns regarding coal fired power plant fly ash should be submitted to its Scientific Subcommittee at its next session in order to obtain the Subcommittee's view on the matter. At its meeting in January 2004, the Scientific Subcommittee concluded as follows:

“It was theoretically possible to distinguish between fly ash from coal-fired power plants and the combustion of oils or other material.

“From the Nomenclature and Customs laboratories point of view it would be helpful to have more detailed information on specifications and uses made of fly ash. The additional information asked for was submitted to the Secretariat in January 2004 which was based on the observations made at previous meetings of the Harmonized System Committee and the Scientific Subcommittee, and recited questions asked of the Secretariat of the Basel Convention and the responses provided. It concluded that questions concerning identification of the wastes and their distinction from primary products remain open. Precise definition of the wastes concerned are crucial to the purposes of the proposals to enable technically sound amendments to the HS Nomenclature to be drafted. The proposal concerning fly ash had been amended to now include FGD gypsum.

“The Committee was invited to consider the proposed amendments and express its views with regard to the direction of further consultations taking into account the information provided by the Secretariat of the Basel Convention and the WCO Secretariat's comments. Also, the WCO Secretariat would appreciate that administrations which are signatories to the Basel Convention contact their counterparts in government to see if further information with respect to the issue could be made available to the Committee.”

21. It was decided that the WCO secretariat would be instructed to produce separate papers on the three Basel Convention proposals for consideration by the Harmonized System Review Subcommittee at its next meeting, in November 2004. If necessary, any technical issues raised could be submitted to the Scientific Subcommittee for consideration at its next meeting, in January 2005. At that stage, a decision could be taken as to whether or not it would be possible to include our proposals in this review cycle.

C. Organization for the Prohibition of Chemical Weapons

22. The Secretariat of the Basel Convention participated in a technical meeting of national authorities on practical aspects of the transfers regime of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (the Chemical Weapons Convention) in terms of the current implementation of the convention in respect of free trade zones and free ports. The meeting, held in Barcelona, Spain, from 15 to 17 September 2003, was organized by the Implementation Branch of the Organization for the Prohibition of Chemical Weapons (OPCW) and the Government of Spain. It was attended by about 60 experts representing Parties to the Chemical Weapons Convention and representatives from international organizations (WCO, the Secretariat of the Basel Convention), the Port of Rotterdam and the chemicals industry. The meeting was relevant to the Basel Convention in terms of the possibility of hazardous wastes imported, placed in transit and stored in free trade zones and free ports during the course of illegal shipments. That possibility is slight, however, if the exporting countries effectively implement the prior informed consent procedure called for under the Basel Convention. In practice, most countries would require that hazardous wastes be stored during transit and transshipment in special hazardous cargo areas, even in free trade areas.

23. The purpose of the meeting was to improve the monitoring and tracking of shipments of chemicals, especially in free trade zones and free ports, so as to eliminate any data discrepancies on imports and exports caused by free trade zones and free ports. Experience gained in narcotics controls, hazardous wastes under the Basel Convention and the roles of GHS were also considered. It was expected that the meeting would enhance understanding of the impacts of free trade zones and free ports rules on the implementation of the Chemical Weapons Convention. The Basel Convention was invited to share views, as the control regimes under both conventions are quite similar and both have trade and environmental implications.

24. The OPCW technical secretariat and the Secretariat of the Basel Convention both expressed the desire to cooperate closely in matters of common interest and mutual benefit. Towards that end, both organizations agreed to conclude a memorandum of understanding and embark on a more detailed discussion of specific areas of cooperation. Since the middle of 2003, both parties have been communicating through visits by OPCW officials as well as by exchange of e-mails, and have agreed a draft memorandum of understanding. On 25 May 2004, two members of the Secretariat of the Basel Convention visited OPCW headquarters to conclude the discussion of the memorandum of understanding and to identify areas for future cooperation. On 26 May 2004, the Executive Secretary of the Basel Convention and the Director-General of OPCW signed a memorandum of understanding paving the way for closer cooperation between the two secretariats.

25. On enforcement of and compliance with the conventions, it was agreed that cooperation was possible in the following areas:

(a) Joint training and workshops (e.g., on inventory and reporting): the secretariats agreed to consult each other when such programmes were organized in the regions so that joint participation could be considered;

(b) Development of common enforcement manuals: the Secretariat of the Basel Convention agreed to allow OPCW to review the draft manual that it had developed to consider whether OPCW issues could be included with respect to such matters as compliance, inspection and enforcement techniques;

(c) Development of national legislation: it was noted that the principal circumstance implicating both conventions was the disposal of obsolete chemical weapons as wastes, which might include transboundary movements. In that regard, the Secretariat of the Basel Convention expressed interest in studying the checklist approach used by OPCW in its model legislation when it considered revising the model national legislation under the Basel Convention;

(d) Exchange of lists of experts and focal points: OPCW indicated that Basel Convention focal points and competent authorities might be useful contacts;

(e) On international cooperation, both secretariats agreed to invite each other to participate in meetings of relevant bodies of both conventions as well as to report regularly to governing bodies of activities undertaken by both conventions.

26. On partnership, OPCW informed the Secretariat of the Basel Convention about the OPCW Associate Programme, which aims to facilitate capacity-building and implementation of the Chemical Weapons Convention, facilitate trade and broaden the manpower base of national authorities in developing countries. The programme has been under way for four years and involves developing the expertise of young professionals in chemical and chemical engineering skills and giving them hands-on industrial experience through attachment programmes in chemical industries. Training activities and research undertaken by trainees include the treatment and disposal of hazardous chemical wastes, an area relevant to the Basel Convention. The Secretariat of the Basel Convention was invited to participate in the programme by giving training workshops to participants as well as by contributing financially. The programme is funded by voluntary contributions by OPCW member States. As an initial contribution, the Secretariat of the Basel Convention could provide a lecturer and review and comment on documentation for the training programme. There is also the possibility of jointly organizing training and providing for Basel Convention trainees and OPCW trainees. This would entail additional funding from both organizations. On the regional centres, the Secretariat of the Basel Convention invited OPCW to use the resources and expertise of the 13 Basel Convention regional centres. This offer was met with enthusiasm by OPCW.

27. The following follow-up actions are required:

(a) To exchange information on activities undertaken by the Basel Convention regional centres in the near future and in 2005 as a matter of priority;

(b) To forward to OPCW a list of Basel convention competent authorities and focal points and the roster of experts and consultants;

(c) To allow OPCW to review the draft enforcement and detection manual on illegal traffic developed by the Secretariat of the Basel Convention;

- (d) To forward to OPCW the GHS list of wastes for its information;
- (e) To forward to OPCW information on technologies and facilities for treatment, recovery and disposal for chemicals/wastes;
- (f) For OPCW to attend training planned under by Basel Convention regional centres and the Secretariat of the Basel Convention and for the Secretariat of the Basel Convention to participate in similar relevant programmes organized by OPCW;
- (g) To link the web sites of both conventions.

D. Transfrontier shipment in Asia

28. Four Asian countries participating in a pilot project for the monitoring and control of transboundary movements of hazardous wastes in the Asian region completed national workshops recently.

1. China

29. China carried out its national workshop from 23 to 25 December 2003. The workshop participants deliberated in detail on a guidance manual for the safe and effective detection, investigation and prosecution of illegal traffic and transboundary movements of hazardous and other wastes in China. They also discussed problems and adopted recommendations towards improving the surveillance and enforcement of regulations related to the control of transboundary movements of hazardous wastes in China.

2. Sri Lanka

30. Sri Lanka's national workshop, held from 4 to 6 December 2003, was organized by the Ministry of Environment and Natural Resources and was attended by 40 participants representing departments involved in transboundary movements of hazardous wastes including the Ministry of Environment and Natural Resources, the Central Environment Authority, the customs authorities, the Sri Lankan Port Authority, the Department of Import and Export Control, the shipping industry and others.

31. The workshop participants examined in detail and provisionally adopted a guidance manual for the safe and effective detection, investigation and prosecution of illegal traffic and transboundary movements of hazardous and other wastes in Sri Lanka. The secretariat provided input in the relevant chapters of the manual so as to ensure coherent and factual correctness of the document, especially with respect to wastes. The manual was to be finalized and implemented when the draft was modified with further input from the relevant agencies as agreed during the meeting.

32. The participants also discussed problems and adopted recommendations towards improving surveillance and enforcement of regulations related to the control of transboundary movements of hazardous wastes. Some of the areas identified include the lack of laws to address illegal traffic; lack of facilities to manage hazardous wastes nationally; lack of trained human resources; lack of coordination; lack of tools and policies to address hazardous wastes issues in Sri Lanka. Suggestions on how the Basel Convention regional centres and the secretariat could help improve the situation were also discussed.

3. Indonesia

33. National workshops were held from 27 to 29 January 2004 in Jakarta and 3 to 5 February 2004 in Batam. They were organized by the Basel Convention Regional Centre in Jakarta and the Ministry of Environment of Indonesia and were attended by 30 participants representing departments involved in transboundary movements of hazardous wastes, including the Ministry of Environment of Indonesia, the Provincial Environment Authority, the Department of Customs and the port authorities of Jakarta, Balikpapan, Semarang and Surabaya.

34. The workshop participants examined in detail the guidance manual for the control of transboundary movements of hazardous and other wastes in Indonesia and prevention of illegal traffic. The secretariat provided input in the relevant chapters of the manual so as to ensure coherent and factual correctness of the document especially with respect to wastes. The manual

was expected to be finalized and implemented when the draft was modified with further input from the relevant agencies as agreed during the meeting.

4. Thailand

35. The Thai national workshop was held from 3 to 5 February 2004 and was organized by the Pollution Control Department and the Ministry of Environment and Natural Resources. It was attended by 30 participants representing departments involved in transboundary movements of hazardous wastes including the Pollution Control Department and the Ministry of Environment and Natural Resources, the Department of Industrial Works, the customs authorities, the Bangkok Port Authority, the Department of Insurance, industry, universities and others.

36. The workshop participants considered in detail and provisionally adopted an outline for the guidance manual for the control of transboundary movements of hazardous and other wastes including prevention illegal traffic in Thailand. The secretariat provided input in the relevant chapters of the manual so as to ensure coherent and factual correctness of the document especially with respect to wastes.

V. Transport and classification

A. United Nations Committee of Experts on the Transport of Dangerous Goods and the Subcommittee of Experts on the Globally Harmonized System of Classification and Labelling of Chemicals

37. The cooperation between the secretariat and the United Nations Committee of Experts on the Transport of Dangerous Goods continued, in particular within the context of the work of the Open-ended Working Group in the development of criteria for the hazard characteristics H6.2 (Infectious Substances), H10 (liberation of toxic gases in contact with air or water), H11 (toxic – delayed or chronic) and H13 (capable, by any means, after disposal, of yielding another material) of Annex III to the Convention. The Secretariat regularly attends sessions of the Committee and reports on the progress of work in this domain.

38. The Subcommittee of Experts on the Globally Harmonized System of Classification and Labelling of Chemicals agreed at its meeting in July 2003 to the formation of a correspondence group consisting of experts from Finland, Germany, the United Kingdom of Great Britain and Northern Ireland and the United States of America, which was entrusted with providing comments on the hazard characterization work under the Basel Convention. Upon receipt of the outcome of the correspondence group, the Subcommittee sent a letter to the Executive Secretary of the Basel Convention indicating its wish to develop further cooperation with the relevant subsidiary body of the Basel Convention on the harmonization of the classification criteria relevant to both the Basel Convention and the Globally Harmonized System. The Open-ended Working Group welcomed the proposed establishment of a working relationship between itself and the Subcommittee and agreed to forward to the Conference of the Parties at its present meeting a request for a mandate for such cooperation, including asking the Secretariat of the Basel Convention to present possible options for establishing such a working relationship at the first meeting of the Open-ended Working Group in 2005.

VI. Marine environment

A. UNEP Global Programme of Action

39. A meeting was held between the Secretariat of the Basel Convention and UNEP staff involved in the UNEP regional seas programme on 24 and 26 May 2004, during which background information was exchanged regarding the activities of the regional seas programme and the Secretariat. In advance of the meetings, a draft memorandum of understanding had been developed that could form the basis for future collaboration between. The Secretariat stated that it was interested in promoting cooperation between the regional seas programme and the Basel Convention regional centres, including joint training activities, cooperation with municipalities, and exchange of relevant data.

40. On enforcement and national legislation, the Secretariat advised that it was embarking upon a number of activities relating to the development of national legislation to implement and enforce the Basel Convention, including an imminent review of the existing model national legislation for the implementation of the Basel Convention. It also noted that a number of Parties had asked whether legislative assistance could cover conventions additional to the Basel Convention, in particular the Stockholm and Rotterdam conventions. The regional seas staff advised that the promotion of compliance and enforcement was currently one of their priority activities. It was agreed that the Secretariat, the Basel Convention regional centres and the regional seas staff could cooperate on activities relating to compliance and enforcement, and in particular the development and implementation of national legislation.

41. It was agreed that cooperation between the Secretariat and the regional seas programme would focus on activities covering the Mediterranean Sea (Cairo, Bratislava and Dakar regional centres), eastern Africa (Pretoria regional centre) and the Caribbean (Trinidad and Tobago regional centre). (It should be noted that any agreement between the Secretariat and other convention secretariats would have to be individually agreed on by those entities – the regional seas programme is not empowered to agree on behalf of those conventions). Specifically, with regard to the Pretoria regional centre, the regional seas programme and the Secretariat could collaborate with respect to the Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region (the Nairobi Convention). The exchange of data was identified as a possible area of collaboration, and it was noted that it was anticipated that, in the future, the Basel Convention regional centres would assist in the collection and maintenance of data, with a view to improving national reporting. The Secretariat stressed that it had a particular interest in collaborating with the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities and the regional seas programme in respect of small island developing States. On the current developments concerning the legal aspects of the full and partial dismantling of ships in the context of the Basel Convention, it was noted that this was an important issue in the South Asia Seas and it was agreed that the relevant regional seas programmes should be invited to participate in the Secretariat's work on this subject, including the draft feasibility study concerning marine litter.

B. Cartagena Convention

42. The Secretariat of the Basel Convention and the Secretariat of the 1983 Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region (the Cartagena Convention) signed a memorandum of understanding for the joint protection of the marine environment in the wider Caribbean. The main area of cooperation is the environmentally sound management of hazardous wastes in order to prevent coastal and marine pollution. Both entities will share expertise to build their mutual capacities, raise awareness on hazardous waste and marine pollution and support each other in technical and legal training. The protection of the Caribbean environment is the subject of the Cartagena Convention and its three protocols. Many of the joint activities will be carried out using the Basel Convention regional centres as platforms in Argentina, El Salvador, Trinidad and Tobago and Uruguay. These activities will focus, among other things, on the exchange of information, on assistance in the development of national legislation and regulatory measures, on the harmonization of reporting requirements and tools under the Basel Convention and the relevant protocols of the Cartagena Convention, in particular the Land-based Sources Protocol, and the development of partnerships with industry, local authorities and municipalities, non-governmental organizations and other interested entities.

C. OSPAR Commission for the Protection of the Marine Environment of the North-East Atlantic

43. The OSPAR secretariat provided the Secretariat of the Basel Convention with the following information regarding progress on action to reduce the introduction of hazardous substances into the North-East Atlantic. The OSPAR Commission decided in 2003 to draw the attention of international bodies, like the Secretariat of the Basel Convention, to documents adopted as part of its work under its strategy with regard to hazardous substances. OSPAR Contracting Parties are Belgium, Denmark, Finland, France, Germany, Iceland, Ireland, Luxembourg, the Netherlands, Norway, Portugal, Spain, Sweden, Switzerland and the United Kingdom of Great Britain and Northern Ireland. The OSPAR strategy covers the following hazardous substances: triphenylphosphine, 4-tert-butyltoluene, trichlorobenzenes, actylphenol,

2,4,6-tri-tert-butylphenol and lead and organic lead compounds: possibilities of reducing lead in PVC and paint. The strategy aims at achieving concentrations of hazardous substances in the marine environment that are near background values for naturally-occurring substances and close to zero for man-made synthetic substances. This involves commitments to move towards the target of the cessation of discharges, emissions and losses of hazardous substances by the year 2020.

D. Oceans and the law of the sea

44. The Secretariat contributed to the preparation of the reports of the Secretary-General of the United Nations regarding oceans and the law of the Sea for 2003 and 2004. The reports have been prepared in response to the request of the General Assembly for the Secretary-General to present his annual comprehensive report on developments and issues relating to oceans and the law of the sea. Both reports elaborate on transboundary movements of hazardous waste, on waste management, including the Basel Convention, and ship recycling.

VII. Dismantling of ships

A. International Labour Organization

45. The Secretariat participated at the International Labour Organization (ILO) Interregional Tripartite Meeting of Experts on Safety and Health in Ship-Breaking for Selected Asian Countries and Turkey, which took place in Bangkok from 7 to 14 October 2003. The meeting, which was organized under the rubric of the ILO SafeWork Programme, was attended by Government, employee and employer representatives involved in ship dismantling activities in Bangladesh, China, India, Pakistan and Turkey. Experts from Canada, Norway, the Republic of Korea, the United States of America and the International Maritime Organization (IMO) also attended. The meeting examined in detail and adopted a set of ILO guidelines on safety and health in shipbreaking. The secretariat provided input on the relevant chapters of the guidelines so as to ensure coherent and factual correctness of the document, especially with respect to wastes and chemical issues. The participants also discussed the way forward with regard to the guidelines already adopted by IMO, ILO and the Basel Convention. It was suggested that after the formal adoption of their guidelines by the respective governing bodies of IMO and ILO, joint workshops could be held in interested regions or countries to explain how the guidelines could be implemented.

46. Discussions were held with representatives of ILO and IMO on the proposed joint working group with the Basel Convention. Discussions centred around possible terms of reference, the nature of the working group and possible dates for its first meeting. The Secretariat will continue its cooperation with ILO, especially in relation to the work on ship dismantling. As a start, a workshop involving ILO and IMO is planned for the near future on the implementation of the ship dismantling guidelines.

VIII. Environmental emergencies

47. The Secretariat attended a joint meeting of the Advisory Group on Environmental Emergencies and the APELL⁴ Senior Level Expert Advisory Group on the "Partnership on Environmental Emergencies" on 15 May 2003 in Geneva organized by the Office for the Coordination of Humanitarian Affairs (OCHA) together with UNEP. Further to this meeting, the Secretariat is being associated with the World Summit on Sustainable Development Environmental Emergencies Partnership. The Partnership's founders are OCHA and UNEP.

IX. Non-ferrous metals

48. As a member of the Consultative Group, the secretariat took a keen interest in the workshop on metals recycling which was held in St Petersburg from 10 to 12 September 2003 and participated in its organization through teleconferences and e-mails.

⁴ APELL: "awareness and preparedness for emergencies at local level".

49. The Secretariat participated in a green lead workshop, which took place from 28 to 30 April 2004 in London and was an important milestone in the lead industry for further designing and developing a standardized environmental and voluntary audit system for the lead life-cycle, including product stewardship, environmental certification and eco-labelling. The initiators intend to start with the development of such a system for lead acid batteries first, due to their great importance within the anthropogenic mass flow of lead (80 per cent in total mass). Later on, the system might be extended to other lead-containing products.

X. Sustainable consumption and production

50. The Secretariat participated in an informal meeting of an advisory task force on the ten-year framework of programmes on sustainable consumption and production, which was organized by UNEP in cooperation with the Department of Economic and Social Affairs and held in Paris on 2 March 2004. The meeting participants agreed on a number of proposals on how to improve resource use efficiency in production processes, how to reduce material and energy intensity in the consumption process, how to engage all stakeholders in the mainstreaming of sustainable consumption and production patterns, how to build capacity and enable different actors to perform their roles, how to enable different countries to develop and implement their own programmes and the role to be played by the United Nations in supporting the shift towards sustainable consumption and production patterns.

XI. Trade and environment

51. The Secretariat has participated in a range of activities in the field of trade and environment. As requested by the Conference of Parties in decision IV/30, the Secretariat has continued its efforts to enhance cooperation between the Basel Convention and WTO within their respective mandates. The Secretariat has attended meetings of the WTO Committee on Trade and Environment, in both special and regular session. It has also reported to Parties on developments on trade and environment at WTO, and sought observer status at meetings of the Committee on Trade and Environment in Special Session. Additionally, the Secretariat has engaged in other activities relating to trade and environment.

A. Attending meetings of the WTO Committee on Trade and Environment in Special Session

52. During the period 2003–2004, the Secretariat attended the following meetings of the Committee on Trade and Environment in Special Session:

- (a) Fifth meeting, 12 and 13 February 2003;
- (b) Sixth meeting, 1 and 2 May 2003;
- (c) Seventh meeting, 8 July 2003;
- (d) Eighth meeting, 19 April 2004;
- (e) Ninth meeting, 22 June 2004.

53. At these meetings, WTO members discussed the three negotiating items identified in paragraph 31 of the WTO Doha Ministerial Declaration,⁵ each of which raises issues of relevance to the Basel Convention. Progress on these items is described in WTO reports by the Chair of the Committee on Trade and Environment in Special Session (see WTO documents TN/TE/7 and TN/TE/9), and is summarized below.

1. Relationship between existing WTO rules and specific trade obligations set out in multilateral environmental agreements (paragraph 31 (i) of the Doha Declaration)

54. The Secretariat has attended WTO negotiations taking place pursuant to paragraph 31 (i) of the Doha Ministerial Declaration, which instructs WTO members to negotiate on the relationship between existing WTO rules and specific trade obligations set out in multilateral

⁵ See document A/C.2/56/7, annex.

environmental agreements. It directs, further, that the negotiations shall be limited in scope to the applicability of such existing WTO rules as among parties to the multilateral environmental agreement in question and that the negotiations shall not prejudice the WTO rights of any Member that is not a party to the multilateral environmental agreement in question.

55. WTO members have pursued two complementary approaches to the negotiations: the identification and discussion of specific trade obligations in multilateral environmental agreements; and a broader, more conceptual, discussion of WTO- relationships with multilateral environmental agreements. These negotiations may be of particular interest to the Basel Convention, as the Convention relies on a range of trade-related measures to achieve its goals, some of which may be identified by WTO members as falling within their negotiating mandate. The outcome of the negotiations may therefore affect the relationship between these measures and existing WTO rules.

56. In discussions at the Committee on Trade and Environment in Special Session, WTO members have examined the different components of the mandate. Regarding the definition of “multilateral environmental agreement”, some WTO members believe there is a need to define the concept so as to keep it within the boundaries of the mandate; others do not view this as necessary. Some focus was placed on six multilateral environmental agreements that could contain “specific trade obligations”, including the Basel Convention. WTO members, however, have not agreed to limit the discussion to any particular number of multilateral environmental agreements. A number of WTO members have identified the Basel Convention as an multilateral environmental agreement containing “specific trade obligations” and therefore within the scope of the paragraph 31 (i) negotiations.

57. Regarding the definition of “specific trade obligations”, WTO members have offered differing interpretations. Some have sought to limit the term to those measures that are explicitly provided for and mandatory under multilateral environmental agreements. Others have suggested a broader definition, which would include other kinds of trade measures contained in multilateral environmental agreements. Some believe the operational frameworks of multilateral environmental agreements should be examined in identifying specific trade obligations set out in multilateral environmental agreements, suggesting that Conference of Parties decisions must also be addressed. The various forms that such decisions can take, and their legal status, would be examined by WTO members.

58. Some WTO members have suggested the need to develop certain principles and parameters to govern the WTO relations with multilateral environmental agreements, and to establish the conformity of certain kinds of trade measures in multilateral environmental agreements with WTO rules. Other WTO members have said that it is premature for the Committee on Trade and Environment in Special Session to discuss potential results.

59. Recent discussions have continued to focus both at the conceptual level and on the identification and discussion of specific trade obligations. A number of WTO members have called for delegations to present their national experiences in the implementation of specific trade obligations in multilateral environmental agreements as the basis of further discussion. It is likely that these discussions will touch on national experiences with implementing the Basel Convention.

60. The report by the Chair of the Committee on Trade and Environment in Special Session to the Trade Negotiation Committee on progress achieved in the trade and environment negotiations in preparation for the WTO Cancun Ministerial Conference (WTO document TN/TE/7) states: “It ... seems clear that greater national coordination between trade and environment officials can itself contribute to a more mutually supportive trade and environment relationship.”

61. The Report by the Chair of the Committee on Trade and Environment in Special Session to the Trade Negotiations Committee meeting of 30 June to 1 July 2004 on the state of play of negotiations (WTO document TN/TE/9) states that “in general, views continue to diverge on paragraph 31(i), and more discussion is clearly required before an outcome may be reached. Numerous participants maintain that the CTESS must first build a firm, factual and analytical foundation under this part of the mandate.”

2. Information exchange and observer status (paragraph 31 (ii) of the Doha Declaration)

62. The Secretariat has also attended parts of the WTO negotiations under paragraph 31 (ii) of the Doha Ministerial Declaration, which requires WTO members to negotiation on procedures for regular information exchange between multilateral environmental agreement secretariats and the relevant WTO committees, and the criteria for the granting of observer status. The Secretariat has attended discussions on information exchange; discussions on observer status, as discussed below, have remained largely closed to representatives of environmental institutions.

63. In relation to regular information exchange, a number of WTO members have emphasized that these negotiations can have what they term a “positive spill-over” on the paragraph 31 (i) negotiations by reducing the risk of conflict between WTO and multilateral environmental agreements. Discussions of information exchange are relevant to Parties to the Basel Convention, who in decision VI/30 have noted that they are “mindful of the need to strengthen cooperation between the Basel Convention and the World Trade Organization within their respective mandates.”

64. Drawing on a multilateral environmental agreement information exchange session held by the Committee on Trade and Environment in Special Session on 12 November 2002, in which of the Secretariat of the Basel Convention, five other multilateral environmental agreements and UNEP participated, the Chair of the Committee on Trade and Environment in Special Session has noted the following suggestions for enhancing information exchange (WTO document TN/TE/7):

- (a) Formalizing Committee on Trade and Environment multilateral environmental agreement information sessions and organizing them on a regular basis;
- (b) Holding multilateral environmental agreement information sessions on specific themes by grouping those agreements that share a common interest;
- (c) Organizing meetings with multilateral environmental agreements in other WTO bodies, either together with the Committee on Trade and Environment or separately;
- (d) Organizing more systematically WTO parallel events at meetings of conferences of parties;
- (e) Organizing joint WTO, UNEP and multilateral environmental agreement technical assistance and capacity-building projects;
- (f) Promoting the exchange of documents, while respecting confidential information;
- (g) Creating avenues for information exchange between government representatives concerned with trade and environment;
- (h) Establishing an electronic database on trade and environment.

65. When discussing these items, some WTO members have emphasized the need to maintain flexibility in information exchange, stressing the resource constraints facing WTO, multilateral environmental agreements and smaller delegations. Others have argued that it was necessary to identify the other WTO committees that could benefit from widening their contacts with UNEP and multilateral environmental agreements.

66. In relation to observer status, WTO members are mandated to negotiate the criteria for the granting of observer status to multilateral environmental agreements. Discussion of criteria, as well as decisions about the granting of specific requests for observer status, are relevant to the Parties to the Basel Convention. In decision IV/30, the Conference of Parties requested the Secretariat to “seek observer status in the Committee on Trade and Environment meeting in special session”. The Basel Convention’s request for observer status is still pending, as are requests by UNEP and other multilateral environmental agreements for observer status in the the Committee on Trade and Environment in Special Session and other relevant WTO committees and councils.

67. In discussing the issue of observer status, some WTO members have stated that negotiations in the Committee on Trade and Environment in Special Session must await the clarification of broader issues of observer status at the WTO General Council and Trade Negotiations Committee. Others have emphasized that the mandate in paragraph 31 (ii) calls for

negotiations specifically addressed to environmental organizations. As an interim measure, the Committee on Trade and Environment in Special Session agreed during its meeting of 12 and 13 February to provide multilateral environmental agreement secretariats and UNEP with “ad hoc invitee” status to allow them to participate in certain parts of its discussions (WTO document TN/TE/R/7).

68. The Committee on Trade and Environment in Special Session emphasized that ad hoc participation is subject to three conditions: first, that invitees would participate on an ad hoc basis when their expertise was considered necessary; second, that decisions on future invitations would be taken by consensus at the end of each meeting; and, third, that ad hoc participation would be without prejudice to discussions under way in the Committee or elsewhere in WTO on observer status. In addition, the Chair suggested, first, that ad hoc invitees be invited to participate in paragraph 31 (i) discussions and the information exchange (but not the observer status) discussions under paragraph 31 (ii), and that their participation on paragraph 31 (iii) could be considered at a later point if deemed useful by delegations; and, second, that the ad hoc invitees should be given the floor after delegations had spoken, either to respond to questions or to clarify the way in which their environmental agreements operated. The Secretariat of the Basel Convention, representatives of other multilateral environmental agreement secretariats and UNEP have subsequently been invited to attend discussions on paragraph 31 (iii).

3. Environmental goods and services (paragraph 31 (iii) of the Doha Declaration)

69. Paragraph 31 (iii) of the Doha Ministerial Declaration requires WTO members to negotiate “the reduction or, as appropriate, elimination of tariff and non-tariff barriers to environmental goods and services.” These negotiations are relevant to Parties to the Basel Convention as they may liberalize trade in goods and services – such as environmental technologies or services for the environmentally sound management of hazardous wastes – of use in the implementation of the Basel Convention.

70. Negotiations regarding this mandate have occurred in a number of WTO bodies. Market access for environmental goods and services are being discussed in the Negotiating Group on Market Access for Non-Agricultural Products and the Council for Trade in Services Special Session, respectively. Discussions in the Committee on Trade and Environment in Special Session have sought to clarify the concept of environmental goods.

71. A number of WTO members have made reference to the Organization for Economic Cooperation and Development (OECD) and the Asia Pacific Economic Cooperation forum lists of environmental goods. At meetings of the Committee on Trade and Environment in Special Session and the Negotiating Group on Market Access for Non-Agricultural Products, some WTO members have also offered criteria for the definition of environmental goods, and some have offered lists of products that they wish to see considered as falling within the scope of the negotiations.

72. The report by the Chair of the Committee on Trade and Environment in Special Session to the Trade Negotiations Committee on progress achieved in the trade and environment negotiations in preparation for the WTO Cancun ministerial conference (WTO document TN/TE/7/Suppl.1) concludes with the remark that “while we have made considerable progress in our discussions on paragraphs 31 (i) and 31 (ii), further efforts will be required in several areas. We need to focus on paragraph 31 (iii), in particular the identification by countries of environmental goods for import or export with a view to negotiating the reduction or elimination of tariff and non-tariff barriers according to the modalities to be defined by Members based on the progress made in the Negotiating Group on Market Access for Non-Agricultural Products.”

B. Attending meetings of the WTO Committee on Trade and Environment in regular session

73. As well as meetings of the Committee on Trade and Environment in Special Session, the Secretariat attended a number of meetings of the Committee in regular session on a range of issues of relevance to the Basel Convention, including technical assistance and capacity-building, environmental reviews at the national level and the relationship between trade and the transfer of technology. These issues have been outlined in a note by the Secretariat on environment and trade issues (UNEP/CHW. 6/31/Add1). More recent information is available in the Secretariat's briefing note on cooperation between the Basel Convention and WTO, discussed below.

C. Reporting to Parties on developments in the WTO on trade and environment

74. Pursuant to decision IV/30, the Secretariat has also sought to monitor developments in the Committee on Trade and Environment in Special Session and report to the Parties thereon. As well as attending the WTO meetings described above, the Secretariat prepared a note entitled Cooperation between the Basel Convention and WTO, which provides an overview of the state of play in discussions at the Committee in both special session and regular session, and identifies issues of potential interest to Parties to the Basel Convention (see www.basel.int).

D. Seeking observer status at the WTO Committee on Trade and Environment in Special Session

75. Pursuant to decision IV/30, the Secretariat has sought observer status in the Committee on Trade and Environment meeting in special session. On 28 January 2003, the Secretariat sent an official communication to the Director-General and Chair of the Trade Negotiations Committee of WTO to seek observer status for the Secretariat at meetings of the Committee on Trade and Environment in Special Session. As noted earlier, this request is still pending.

XII. Others

A. International Energy Agency

76. The Secretariat was invited to make a presentation at an International Energy Agency Carbon Sequestration Leadership Forum workshop on legal aspects of storing carbon dioxide, which was held in Paris on 12 and 13 July 2004. Representatives of the 1972 London Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter and OSPAR participated together with the Secretariat of the Basel Convention in a section of the workshop on existing and future international frameworks.

B. Department of Peacekeeping Operations

77. Based on consultations between the United Nations Department of Peacekeeping Operations and UNEP in 2002 and 2003, it was agreed by both organizations that environmental guidelines for United Nations peacekeeping field missions would be developed cooperatively between UNEP and the Department. The following are some areas which were identified that should be included in the guidelines: solid and hazardous wastes management; wastewater management; hazardous substances management; water; energy and air pollution management; natural resources management; and cultural and historical resources management. The Secretariat was invited by UNEP to provide its expertise in the development of environmental guidelines, in particular in the area of hazardous waste management. The overall objective of the guidelines is to achieve a more systematic approach to tackling environmental issues in order to ensure that peacekeeping operations are more environmentally sound.