

Sixth Meeting of the Waigani Convention

Sixth Meeting of the Conference of the Parties to the Convention to Ban the Importation into Forum Island Countries of Hazardous and Radioactive Wastes and to Control the Transboundary Movement and the Management of Hazardous Wastes within the South Pacific Region (Waigani Convention)

Noumea, New Caledonia
31st August 2012

Introduction

1. The Sixth Meeting of the Conference of the Parties to the Convention to Ban the Importation into Forum Island Countries of Hazardous and Radioactive Wastes and to Control the Transboundary Movement and the Management of Hazardous Wastes within the South Pacific Region (Waigani Convention) was held on the 31st August 2012, in Noumea, New Caledonia.
2. Representatives of the following Parties attended (including parties present at the endorsement meeting held on the 3rd September, 2012): Australia, Cook Islands, Federated States of Micronesia, Fiji, Kiribati, New Zealand, Niue, Samoa and Tuvalu (Annex 1).

Agenda Item 1: Opening of the Meeting

3. The Meeting was opened by the representative of Samoa, the current Chair. He welcomed representatives and thanked Parties for their involvement in the past two years and encouraged the maintenance of the momentum that has been gained in implementation of the Convention. He welcomed the observers and acknowledged their support of the work of the Parties. He thanked the Secretariat for its support of the work in the past 12 months and noted with appreciation the work of the Government of New Caledonia in hosting the meeting.
4. The Deputy Director General of SPREP welcomed representatives and observers. He highlighted the substantial progress made by the Secretariat in terms of the waste management, in particular, the establishment of the Waste Management and Pollution Control Division under the new structure. The Deputy Director General also highlighted the Secretariat's success in securing over \$US 20M in additional funding for hazardous waste management in the region. The Deputy Director General's address is attached as Annex 2.

5. The Deputy Director General welcomed Professor Li Jinhui, the Executive Secretary of the Basel Convention Regional Centre for Training and Technology Transfer for the Asia and Pacific Region (Tsinghua University, China) and noted that the presence of the Executive Secretary was an opportunity to address the potential synergies and additional capacity that the Chinese Centre may bring to the Pacific.

Agenda Item 2: Organisation of the Meeting

6 In accordance with Rule 18 of the Rules of Procedure of the Waigani Convention, the meeting elected a Chairperson, a Vice Chairperson and a Rapporteur by a simple majority vote. The rapporteuring function has traditionally been provided by the Secretariat.

7. Australia was elected as Chair, Fiji as vice-Chair and Kiribati as Rapporteur. The representative of Australia took the Chair and thanked the meeting for its confidence in his election.

8. There are 13 Parties to the Convention: Australia, Cook Islands, Federated States of Micronesia, Fiji, Kiribati, New Zealand, Niue, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu, and Vanuatu.

9. At the commencement of the meeting, the required quorum of nine was not met and it was proposed that an informal meeting be held while awaiting the arrival of the other Parties and to reconvene later to ratify agreements from the meeting when the quorum is achieved.

10. Cook Islands, Fiji, New Zealand, Samoa and Tuvalu supported the proposal to continue with the informal meeting.

11. Samoa stated that while it was in agreement with running the meeting in an informal manner, this should not become the norm. The representative strongly encouraged all Parties to commit to attending these meetings of the COP.

12. In response to a query from Tuvalu, the Chair advised that all items would be discussed in the informal session and that the resolutions would be ratified at the reconvened meeting.

13. Australia, Cook Islands, Fiji, Kiribati, New Zealand, Samoa and Tuvalu attended the informal meeting on the 31st August 2012.

Agenda Item 3: Adoption of Agenda

14. The Meeting ***adopted*** the agenda which is attached as Annex 3.

Agenda Item 4: Presentation of Reports by the Secretariat of work undertaken since COP5

15. The Secretariat advised that the 4th Meeting of the Scientific and Technical Advisory Committee (STAC4) and the 3rd Meeting of the Steering Committee of the Pacific Regional Centre (SCPRC) did not take place and hence no reports for these were available. However, it reported on overall work conducted since the COP5.

16. Kiribati commended the Secretariat on the early dissemination of documents and availability of the documentation on the website for the SPREP meetings. The representative requested that papers continue to be made available at an early stage, particularly to assist those countries with slower internet connections. She acknowledged the Secretariat's work on asbestos and e-waste and thanked SPREP for the respective strategies that will enable regional work in these areas. The representative made specific requests for technical assistance from the Secretariat as follows:

- (i) assistance with waste oil export to Fiji;
- (ii) disposal and management of stockpiled laboratory chemicals;
- (iii) developing projects to deal with asbestos in particular removal and disposal of asbestos;
- (iv) in-country training on reporting under the Waigani and Basel Conventions; and
- (v) technical support to prepare for chemical and waste cluster MEAs negotiations, including those related to mercury;
- (vi) assistance on tracking instances of illegal trafficking;
- (vii) in-country training related to contaminated site assessment – a prioritised national issue; and
- (viii) technical assistance in developing a national chemical and hazardous waste implementation plan.

17. Kiribati also sought an update of the UNEP/GEFPAS Pacific POPs Release Reduction Project, and emphasised the need for another regional POPs project to remove non-POPs toxic chemicals off island for sound disposal abroad. The representative noted that this has been raised previously at past SPREP meetings. Kiribati further stressed that coordinating assistance with development partners is increasingly necessary in the face of emerging chemical issues such as mercury management.

18. Fiji stated that there had been significant on-ground progress in the region in waste management and expressed great satisfaction regarding the progress in the establishment of a waste oil collection scheme.

19. The Meeting:

- **noted** work undertaken since the Fifth Meeting of the Conference of the Parties.

Agenda Item 5: Competent Authorities and Focal Points

20. The Secretariat advised that the Second Meeting of the Parties (2004) agreed that Parties should inform the Secretariat in writing through the National Focal Point for the Convention of designated Competent Authorities and Focal Points, or changes to these positions.

21. Australia and Kiribati advised that there were changes which had been communicated to the Secretariat.

22. The Meeting:

- agreed to **review** the list and, if there are changes, to **inform** the Secretariat in accordance with the agreed mode.

Agenda Item 6: Reporting and Transmission of Information and Illegal Traffic

23. Article 7.3 of the Waigani Convention requires Parties, consistent with their national laws and regulations, to set up information, collection and dissemination mechanisms on hazardous wastes to enable the Secretariat to fulfil its obligations under articles 9.6 and 14. The Secretariat advised that the forms can be downloaded from the SPREP website. <http://www.sprep.org/legal/regional.htm>

24. In response to a query from New Zealand, the Secretariat advised that reports can be submitted in either the Basel or Waigani format as they are essentially the same. The Secretariat also noted that past reporting from Parties would be helpful as it will help build a database of movement of hazardous substances across the region.

25. Samoa reported that it is exporting hazardous waste to Australia through Tonga and this has been cleared under the Basel Convention. The Secretariat is kept updated on this.

26. Kiribati highlighted the need for national reporting under the Conventions as well as on illegal trafficking but added that these are areas requiring technical assistance from the Secretariat. The representative suggested that there may be benefit from sharing lessons and experiences from those Parties that are successfully carrying out this reporting.

27. Fiji informed of an occasion in which the Government of Korea had refused to accept export of waste on the grounds that Fiji was not a signatory to the Basel Convention. The representative requested Secretariat assistance in addressing this issue. Fiji stressed that Parties need to notify Fiji when exporting batteries or used oil to Fiji.

28. Tuvalu also requested technical assistance in regard to reporting on transmission of information and illegal traffic. The Secretariat advised that under the GEF-PAS funds, training could be run for this, noting earlier training had been conducted in this area.

Agenda Item 7: Financial Statements for 2010 and 2011

29. The Secretariat tabled the following financial documents:

- the Report of the Auditors for 2010 that was tabled at the 22nd SPREP Meeting (WP.7.2)
- the Income and Expenditure Statement for 2010 (WP.7.3)
- the Report of the Auditors for 2011 that will be tabled at the 23rd SPREP Meeting (WP.7.4)
- the Income and Expenditure Statement for 2011 (WP.7.5)
- the Income and Expenditure Statement for 2012 (WP.7.6)

30. The 2012 income and expenditure statement was provided for information.

31. In reference to queries from Samoa that only a summary of the financial report had been provided, the Secretariat advised that the auditors report for 2010 for the Waigani Convention was based on the overall financial statements for the whole organisation, including the Conventions and other programme funding. The Secretariat would provide, to interested Parties, the missing note referred to in the auditor's report as "Note 2".

32. The Secretariat clarified that in the list of member contributions, the funds received were for the 2011-2012 biennium. This will be clarified in the statement of income and expenditure. The Secretariat also advised that there were additional sources of funding which enable the implementation of activities under the Basel Convention and these would be discussed under a separate agenda item. It further stated that membership contributions are used to fund the meetings of the two committees (STAC and SCPRC) and the COP.

33. The Meeting:

- **adopted** the relevant parts of the audited Financial Statements for 2010 and 2011.

Agenda Item 8: Future Arrangements for the SCPRC and the STAC

34. The Secretariat advised that there were two key committees established under the Convention - the STAC and the SCPRC. The SCPRC is responsible for developing a Business Plan for the Centre to guide its activities. A quorum has been unable to be obtained for either the STAC or the SCPRC since 2008.

35. Noting that this issue needed to be resolved, the Secretariat outlined three possible options to address the situation:

- i) that Parties reaffirm their full support for the STAC and SCPRC and ensure that all their duties and obligations under these arrangements are fully discharged in the future; or

- ii) that Parties reaffirm their support for the STAC and SCPRC, but to support organisation of business through electronic communication only. A lack of response on any issue by Parties will be regarded as acceptance of the majority view; or
- iii) to rely on the WMPC Division of SPREP to take over these roles as part of its annual work programme.

36. The Secretariat advised that while Option 3 was not an ideal solution, this is what had been in place for the past four years. It also noted that there would be budgetary implications and sought guidance on next steps. In response to queries from the Parties, the Secretariat provided a number of clarifications.

37. The Secretariat clarified the following issues:

- i) that it was not proposing a change to the Convention, rather the issue is on how to reactivate the Committees;
- ii) the Committees are fully resourced and paid for by the Secretariat. The issue is how to get members to attend the two committee meetings. The suggestion by Fiji for re-education to reactivate interest is useful;
- iii) there will be no increase in member contributions;
- iv) potential increases in staff numbers and funds may mean lower cost implications under Option 3; and
- v) holding the STAC and SCPRC on the margins of other meetings was not feasible due to the specific membership of the two committees.

38. New Zealand advised that it had a preference for either Option 2 or 3.

39. Samoa noted that this was a serious matter as it would pave the way for future work in this area. The representative stated that he believed Parties were still very committed to this Convention but that the issue of resourcing – financial and human - continued to be a challenge. He urged both the Secretariat and Parties to consider ways in which these issues could be addressed to ensure more effective participation.

40. Fiji observed that there was a need to re-energise the Convention and activate increased Party enthusiasm and involvement. The representative stated that there had been several changes in governments and understanding on the Convention had probably decreased over time. This could be rectified through sharing more information on what the Convention is doing and achieving. Fiji added that it supported the continued existence of the two committees and requested the Secretariat to assist with the proposed communication and education on the Convention.

41. Cook Islands also raised the issue of staffing in the agencies, noting that at times a single individual was responsible for several roles. Cook Islands supported maintaining the two committees (Option 1).

42. New Zealand stated that Option 2 might not be a viable option for IT-challenged countries, and acknowledged the view of Cook Islands with respect to human resource challenges. The representative suggested exploring further use of technology such as a virtual conference option and sought views of other Parties.

43. Kiribati was supportive of the proposal to maintain the two committees (Option 1) but requested that the Secretariat continue to provide technical assistance and input to national activities. The representative further stressed that lack of response did not necessarily reflect lack of interest. She requested Secretariat feedback on the e-forum on waste, noting that Option 2 may still be a challenge for Kiribati and that the lessons from the e-forum may help guide thinking. The representative also requested that an evaluation report be provided by the Secretariat on the effectiveness of the two committees over the long term.

44. NZ noted that taking a decision on the matter at hand could pre-empt the outcomes or recommendations of a proposed review. After some discussion Parties agreed to the recommendations which could include the proposed review.

45. Samoa stated that it supported Option 1 with amendments (as reflected in the recommendation in para 42) and reiterated earlier points that Parties continue their support to the work of the Committees.

46. The Chair noted that it appeared that the key issue was the need to re-energise participation in the meetings.

47. Secretariat confirmed that resources were available to support in-country awareness raising activities on the importance of the Convention and its committees.

48. The Meeting:

- **agreed** that Members will continue to support the STAC and SCPRC to help guide the implementation of the Waigani and Basel Conventions in the region; and
- **directed** SPREP to seek and act on advice from Member countries on how best to maximise involvement in the Technical and Steering Committees associated with the Waigani Convention and Basel Regional Centre.

Agenda Item 9: Consideration of Adoption of Core Budget 2013-2014

9.1. Core Budget Option A and Option B

49. The Secretariat presented the Core Budget for the Biennium 2013-2014 for consideration and adoption.

50. The Meeting

- **approved** the budget Option A.

9.2. Status of Contributions

51. The Secretariat provided an update on the status of member contributions and encouraged Members to commit to meet all outstanding contributions.

52. New Zealand and Kiribati indicated that the balance of their Convention contributions would be paid within a week.

Agenda Item 10: Consideration and Adoption of the Business Plan for the PRC

53. The Secretariat presented the Business Plan for the Pacific Regional Centre for consideration and approval.

54. SPREP committed to update the Waigani Convention website, provide further advice on insurance options for transportation of hazardous wastes, and provide technical assistance particularly for revision of Stockholm Convention National Implementation Plans. Projects to be implemented with secured funding include assessment of e-waste stockpiles in 7 countries, completion of regional used oil recycling strategy, regional assessment of asbestos with possible interventions in 3 countries, regional management of non-POPs wastes including laboratory chemicals and healthcare wastes, training to Parties on implementation of Basel and Waigani Conventions obligations, and management of medical wastes.

55. The Meeting

- **Approved** the Business Plan for the Pacific Regional Centre.

Agenda Item 11: Other Business, BCRC (Beijing) Cooperative Arrangements

56. Professor Li Jinhui, accompanied by Ms Nana Zhao, introduced the Basel Convention Coordinating Centre for Asia and the Pacific (BCRC China), and proposed the details of future co-operative arrangements between BCRC China and SPREP and the Pacific region.

57. Ms Zhao introduced detailed information concerning the BCRC China, which is hosted by Tsinghua University with technical support from the Ministry of Environmental Protection in China. The BCRC China has over 50 full-time and part-time staff, and operates four units, the MEA Coordinating unit in charge of communication and information gathering, the Programme Support Unit responsible for organizing and implementing major projects, the Capacity Building Unit in charge of technical training, and the Regional Initiative Unit in charge of the regional information network.

58. The representative from BCRC China also advised that the Centre has expertise in hazardous waste management, e-waste management and technology, transboundary movement of hazardous waste, POPs inventory survey methodology and practice, BAT/BEP for dioxins reduction and control, and strategy and action planning for eliminating POPs. Sample projects implemented include participation in the design of a hazardous waste landfill, various studies on recycling and import/export management of e-waste, and capacity strengthening for PCBs management. She also indicated that BCRC China has organized more than 60 meetings with over 3000 participants representing over 50 countries. National delegates from 8 Pacific Island Countries have attended past regional workshops organized by BCRC China from 1999-2010 covering hazardous wastes, PCBs, and related issues.

59. BCRC China expressed interest in supporting training, workshops and other collaborative activities carried out by SPREP and related to the Basel and Waigani Conventions, invited SPREP to contribute to its newsletter, invited organizations in the Pacific islands to participate in internships, and invited.

60. SPREP and delegates from PICs to attend the International Conference on Waste Management and Technology.

61. In response to queries from Fiji and Kiribati, Professor Li further advised that they are able to support up to four attachments each of 2-month duration, that they can provide technical resource persons to facilitate national or regional training programmes, and that they can also facilitate completion of applications from Pacific Islanders for study at the Tsinghua University.

62. Kiribati also recommended that consideration be given to facilitating short term training programmes through the Centre. She added that it would be helpful for the Centre to work closely with the SPREP Secretariat on this. This was noted by the Executive Secretary.

63. SPREP committed to providing progress reports to Parties on development of a MOU between BCRC China and SPREP for the realization and delivery of the cooperative arrangements suggested by the BCRC China.

Agenda Item 12: Date and Venue of next Meeting

64. The Secretariat advised that the next meeting of the COP would be held in association with the 2014 SPREP meeting.

Agenda Item 13: Adoption of the Meeting Record

65. A quorum being present, the record of the Proceedings of the Conference was adopted on Monday 3rd September 2012.

Agenda Item 14: Closure of the Meeting

66. In closing the meeting, the Chair thanked the participants for their cooperation and collaboration in addressing the key issues discussed. He thanked the Government of New Caledonia for hosting the meeting and SPC for its excellent venue. The Chair acknowledged the work of the Secretariat in providing quality documents, which helped the meeting run well.

67. The Deputy Director General of SPREP thanked the representatives for their participation and contribution and acknowledged the excellent guidance of the Chair through some difficult issues through the day.

68. The Meeting was then closed.
