



Distr.: General  
10 March 2011

English only

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**Second meeting of the Expanded Bureau  
of the ninth meeting of the Conference  
of the Parties to the Basel Convention**

Geneva, 24-25 March 2011

Item 5 (b) of the provisional agenda\*

**Status of preparations for the tenth meeting of the Conference of the  
Parties: update from, and guidance to the Secretariat on: the theme of  
the tenth meeting of the Conference of the Parties to the Basel Convention**

## **The theme of the tenth meeting of the Conference of the Parties to the Basel Convention**

### **Note by the Secretariat**

#### **Introduction**

1. By its decision IX/33, the ninth meeting of the Conference of the Parties decided that the tenth meeting of the Conference of the Parties to the Convention shall be convened in 2011, and mandated the Executive Secretary, subject to the approval of the Expanded Bureau, to enter into consultations with a Party that expresses interest in hosting the tenth meeting of the Conference of the Parties with a view to agreeing on satisfactory arrangements and concluding a host country agreement for hosting the tenth meeting of the Conference of the Parties.

#### **I. Implementation**

2. During the simultaneous extraordinary meetings of the conferences of the Parties to the Basel, Rotterdam and Stockholm conventions held in Bali Indonesia, from 22 to 24 February 2010, the Executive Secretary initiated a dialogue with the Government of Colombia, as the future host country of the tenth meeting of the Conference of the Parties (COP 10), on the possible theme. The Government of Colombia subsequently proposed that the theme should focus on minimizing wastes and re-using them.

3. During the teleconference of the Bureau of the ninth meeting of the Conference of the Parties to the Basel Convention, held on 2 November 2010, the Executive Secretary informed the Bureau members on the theme for COP 10 proposed by the Government of Colombia, and of her informal consultations with various Parties. She reported that she had received positive reactions on the proposed theme.

4. All members of the Bureau expressed support for this theme as being timely and interesting. It could also serve to spark discussion on issues relevant to the Convention.

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\* UNEP/SBC/BUREAU/9/2/1.

5. The Executive Secretary also advised the Bureau that she was setting up a small Senior Advisory Group of Experts to the Executive Secretary on exploring the economic potential of converting certain waste streams into resources in an environmentally sound manner. She emphasized that her initiative was in no way intended to interfere with the formal discussions and processes under the Basel Convention, but that any outcome would be put at the disposal of the Parties in the consultations leading up to COP 10, in light of the theme proposed by the host Government.
6. Following several questions, the Bureau members recognized that this was a good initiative that could provide state of the art information to the Parties. One member of the Bureau highlighted that the issue of standards was controversial not only in the Basel Convention but also in other fora, and that it was better to provide good examples of how waste streams are being used as resources.
7. The Bureau took note of the developments regarding the proposed theme of COP 10, and the Executive Secretary's initiative.
8. The Executive Secretary subsequently convened the Advisory Group of Senior Experts, composed of a small number of recognized experts in different areas related to the waste-resource interface. Convened as a "think tank", the composition of this Advisory Group was determined on the basis of expertise rather than professional or institutional affiliation. An effort was made to ensure adequate representation of different regions of the world and different areas of expertise. The Advisory Group advised the Executive Secretary on possible practical ways in which the Basel Convention could strengthen the waste to resource linkage. The Advisory Group of Senior Experts met in Geneva from 18 to 19 January 2011. On the basis of the discussions, the Executive Secretary drafted a Non-paper on "Shifting paradigms: from waste to resources" (attached for ease of reference).
9. In the course of the 26th UNEP Governing Council/Global Ministerial Environment Forum, Mr. Carlos Castaño, Vice-Minister of Environment of Colombia and the Executive Secretary agreed on the final title of the theme of the COP 10, namely "**Prevention, minimization and recovery of wastes**".

## II. Possible action by the Expanded Bureau

10. The Expanded Bureau may wish to take note of the information provided by the Secretariat and is invited to provide guidance to the Secretariat on the theme of the tenth meeting of the Conference of the Parties in Cartagena de Indias, Colombia, in particular on possible ways and formats in which to address the theme, as well as on possible outcomes that might be envisaged.

**Annex*****SHIFTING PARADIGMS: FROM WASTE TO RESOURCES******NON-PAPER******EXECUTIVE SECRETARY OF THE BASEL CONVENTION******FEBRUARY 2011******Background***

The waste-resource interface is currently one of the largest unaddressed challenges facing the international waste agenda in general, and the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal in particular. There is significant unexploited potential for creating economic opportunities and safe jobs world-wide while protecting human health and the environment through the recycling and reuse of certain waste streams in an environmentally sound manner.

The Executive Secretary presents this non-paper with a view to initiating discussions amongst Parties and other stakeholders in relation to the Basel Convention's role in strengthening the waste to resource linkage. This initiative is considered especially timely as the Government of Colombia, in its capacity as Host and Presidency of the tenth meeting of the Conference of the Parties to the Basel Convention (COP 10; Cartagena, Colombia, 17-21 October 2011), has proposed "***Prevention, minimization and recovery of wastes***" as the theme for COP 10. Accordingly, the Ministerial segment of COP 10 is expected to consider ways in which prevention and re-use of certain types of wastes can be achieved, and possibly to adopt a Ministerial Declaration expressing commitment to this concept.

In support of the development of this non-paper, the Executive Secretary convened an Advisory Group of Senior Experts, composed of a small number of recognized experts in different areas related to the waste-resource interface. Convened as a "think tank", the composition of this Advisory Group was determined on the basis of expertise rather than professional or institutional affiliation. An effort was made to ensure adequate representation of different regions of the world and different areas of expertise. The Advisory Group advised the Executive Secretary on possible practical ways in which the Basel Convention could strengthen the waste to resource linkage.

***The Approach***

During a two-day meeting convened in Geneva from 18 to 19 January 2011, the Advisory Group was asked to consider a list of questions previously drafted by the Executive Secretary, and on this basis, to make recommendations which would form a practical input to the relevant international policy discussions, in particular in the context of the preparations for COP 10 of the Basel Convention. The discussions benefited from professional facilitation, which greatly supported the "think tank" approach.

The Executive Secretary presented the following over-arching and specific questions to the Advisory Group:

***Overall question:***

*How could the Basel Convention contribute to realizing the economic, social, environmental and health protection potential of the waste-resource interface, in full conformity with its objective and provisions?*

***Specific questions:***

*Q1: Which wastes / waste streams can be recycled or re-used and yield valuable secondary resources?*

*Q2: What technologies / methods / facilities exist for each of the waste streams?*

*Q3: What certification schemes or standards exist or could be developed for each of the waste streams, feasible for / applicable to different parts of the world?*

*Q4: What are the costs and benefits of the relevant approaches in different policy contexts (both short term and long term)? What data is available to quantify this?*

*Q5: What could be a useful and feasible approach for the Basel Convention to consider in this context?*

These questions were designed as a basis for the development of recommendations by the Advisory Group. They provided a starting point for the discussions, but were modified and adjusted by the Advisory Group in the course of the deliberations. Rather than responding to every question in its entirety, the Advisory Group chose to address different elements of each question as they arose during the brainstorming.

The key recommendations of the Advisory Group appear below. In accordance with the approach taken by the Advisory Group, these represent a compilation of the recommendations put forward by members of the group. No attempt was made to reach agreement on each recommendation. It should also be noted that the Advisory Group did not address how the recommendations relate to the provisions of the Basel Convention, nor the concrete steps that would need to be taken to ensure compatibility of the recommendation with these provisions.

In addition, Annex I provides an overview of the specific aspects which were discussed in relation to re-useable/recyclable waste streams, the availability of technologies, the enablers/obstacles in promoting a waste to resources approach, and certification schemes. Annex II contains the agenda and composition of the meeting.

## **RECOMMENDATIONS**

### **OF THE SENIOR ADVISORY GROUP OF EXPERTS TO THE EXECUTIVE SECRETARY OF THE BASEL CONVENTION ON EXPLORING THE ECONOMIC POTENTIAL OF THE WASTE-RESOURCE INTERFACE**

#### ***Fundamental considerations: Need to support a paradigm shift at the policy level***

Despite the Basel Convention's over-arching objective to minimize the generation and transboundary movements of hazardous and other wastes, at the global level the volume of hazardous waste which is produced and is transported across borders is increasing. Conversely, a paradigm shift in the way in which policy-makers view waste is also taking place. Some waste streams are no longer viewed as "useless and costly" and waste management as a practice is not solely focused on treatments which are best suited for its disposal. Instead, its economic potential is more widely recognized and ground-breaking technologies and business opportunities have emerged to promote the use of waste as a valuable resource. Therefore, the Basel Convention needs to modernize to keep pace with this paradigm shift. Parties to the Convention may wish to accompany and support such a shift by considering, in addition to the environmentally sound management (ESM) of hazardous and other waste, the issue of resource management, through promoting a lifecycle approach which incorporates economic, social and environmental sustainability.

To contribute towards this paradigm shift, priority areas for intervention are recommended for Parties' consideration at the over-arching policy level, and for practical implementation, through the framework and mechanisms of the Basel Convention.

#### ***Recommendations for consideration by Parties: Over-arching policy level***

- Launch a "sustainable secondary resource initiative" at the policy level which delineates the cradle-to-grave approach, and promotes the sound and safe use of waste as a secondary resource (i.e. to a "circular", cradle-to-cradle approach);
- Provide the Basel Convention with the tools to address the prevention and minimization of hazardous waste generation, the promotion of intelligent product design and a lifecycle approach to materials;
- Revise the permissibility of transboundary movements of hazardous waste to include movements carried out to promote resource efficiency through environmentally sound recycling or recovery operations;
- Take steps to help formalize the role of the informal sector in waste-resource management at the national level through cost-free registration. Encourage public-private partnerships to enhance this sector's efficiency in resource recovery;
- Ensure that resource management at the national level explicitly factors in inputs from waste flows – both in terms

of materials and energy.

***Practical recommendations: Using the framework and mechanisms of the Basel Convention***

- Encompass waste definitions in the context of the waste-resources linkage and develop guidelines (or an annex to the Convention) to incorporate additional waste classification. Nomenclature should be harmonized (e.g. terms such as commodity, secondary raw material, alternative fuel, waste);
- Provide a “fast track” for transboundary movements of hazardous waste which is destined for recycling in an environmentally sound manner, while keeping a tight control on hazardous waste movements;
- Create a new annex to the Basel Convention which would, in addition to the ESM criteria for transboundary movements, add a “resource recovery” or “waste utilization” criterion to the applicable rules to differentiate end-of-life goods from (processed) secondary raw materials;
- Develop tools and guidance to ensure the ESM of hazardous wastes listed in Annex VIII and of non-hazardous waste listed in Annex IX of the Convention, such as the development and adoption of standards for ESM, as well as adequate certification schemes;
- Create incentive systems through legal requirements and rules (to be specified);
- Promote the development of environmentally sound and safe product quality standards or a label for “clean” secondary resources, for when products are made from recycled waste streams;
- Strengthen the Convention to improve transparency, data sharing and technology dissemination;
- Encourage the Secretariat to advise and support countries in applying the ESM criteria/principles;
- Through the Regional Centres, raise awareness of the benefits and challenges of the transformation of waste to resources in a safe and environmentally sound manner;
- Expand the scope of national reporting under the Convention to include aspects such as: the recycling rate of hazardous wastes, including material recycling rates; toxic substance reduction; percentage of hazardous wastes recycled in formal vs. informal sector. On this basis, assess regional and global performance in strengthening resource management;
- Transform the Convention’s global database on hazardous waste to a “global observatory of waste” aimed at tracking, measuring and analyzing the trends in waste/resource management, the quantity, flows and characteristics of hazardous waste, available technologies/techniques, case studies<sup>1</sup>, etc.

***“Don’t waste resources; treat waste as a resource!”***

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<sup>1</sup> Such as cleaner production case studies where the elimination/reduction of hazardous waste streams has been achieved to economic, as well as environmental, advantage.

## ANNEX I

### Record of discussions on questions posed by the Executive Secretary

This Annex provides an overview of the specific aspects which were discussed in relation to re-useable/recyclable waste streams, the availability of technologies, the enablers/obstacles in promoting a waste to resources approach, and certification schemes.

#### *1. Re-useable/recyclable waste streams*

The Advisory Group was asked which wastes/waste streams can be recycled and yield valuable secondary resources. On this basis, the Advisory Group developed two lists of wastes/waste streams: (a) complex wastes/waste streams and (b) organic and household-like wastes/waste streams.

Complex wastes/waste streams	Organic and household-like wastes/waste streams
E-waste, (electrical and electronic), e.g. circuit boards, rechargeable batteries, compact fluorescent lights (CFLs), transformers	Plastic waste
Automobile batteries/Used Lead Acid Batteries (ULAB)	Construction/demolition waste
End of life vehicles (including electrical vehicles), e.g. catalytic converters	Household waste and sewage sludge
End-of-life ships	Wood waste products
Tailings (primary metals)	Paper/cardboard
Photovoltaic cells and high efficiency generators (rare earth metals)	Textiles
Catalysts	Food waste
	Packaging
	Rubber waste/used tyres
	Used engine oil
	Glass

Consideration was also given to the treatment methods for each type of waste/waste stream. It was determined that technologies and detailed distinction between the wastes/waste streams were not the issue.

#### (a) Recovery of complex wastes

Generally, the same recovery steps are followed for all complex wastes/waste streams. These are:

- (i) collection (often involving the informal sector);
- (ii) pre-processing (at the local or regional level, which involves manual or mechanical dismantling, sorting and “de-polluting” activities);
- (iii) refining (at the global level, involving large scale operations which benefit from economies of scale); and
- (iv) disposal (or temporary storage as an alternative).

#### (b) Recovery of organic and household wastes

Organic and household wastes/waste streams are generally in constant supply, thus structured collection systems are required. Typically, they will have an economic value. With the exception of “used engine oils”, none of the listed wastes/waste streams in this category fall under any Basel Convention definition that would classify them as hazardous waste. However, almost all waste streams could end up as hazardous waste when contaminated with hazardous substances (Annex I) such as heavy metals, PCB, chlorinated pesticides, creosote, PCDD/PCDF.

For effective resource recovery from both groupings of wastes/waste streams, a framework needs to be in place to ensure it is both economically and technically viable. This framework should encompass:

- A market (both supply and demand – upstream and downstream)
- Recycling/recovery facilities
- Supporting infrastructure
- Organizations
- Fees for waste disposal
- Legally binding obligations and enforcement
- Payment for recycling/recovery service which is above the intrinsic value of the resource

## ***2. Enabling factors/Obstacles***

Following the Advisory Group’s discussion on the priority wastes/waste streams that could be recycled or reused and the availability of technologies and treatment methods for each, the Advisory Group discussed both successful and failed case studies and how to develop an enabling framework for resource recovery/recycling.

Both the “enabling factors” and “obstacles” are described below for specific case studies that were discussed by the Advisory Group.

### **Case 1: Nokia Mobile Phone Battery Global Collection Programme**

#### *Enabling factors*

- Nokia established this initiative as a global policy
- large markets are available for Nokia mobile phone batteries
- initiative was not driven by economics alone, the programme was also established to enhance Nokia’s image
- good cooperation from telephone dealers
- good cooperation from consumers initially

#### *Obstacles*

- fake batteries (non-Nokia) were collected causing the project to fail
- programme did not involve sufficient stakeholders in the planning phase, e.g. other producers of mobile phones

### **Case 2: TES-AMM E-waste Recycling Company, China**

#### *Enabling factors*

- market available for recycled materials
- sources from production processes and end-of-life electrical and electronic equipment (EEE)
- support by local university in technology and planning
- funding available from Government for technology development
- co-funding provided by the Company itself
- regulations on WEEE in place
- incentives available to reduce cost of recycling
- technology available for controlling pollution problems
- “Old for New Policy” adopted in China in 2009 (incentivizing changes from old equipment to new)

#### *Obstacles*

- residue disposal from this recycling process is difficult and costly
- some recycled materials yield low returns, e.g. glass and plastics
- recycling of new EEE is now presenting difficulties, e.g. refrigerators and plasma TVs

### Case 3: E-waste recycling in the informal sector in Bangalore, India

#### *Enabling factors*

- low labour costs
- high flexibility of informal sector
- high collection rates in informal sector
- informal sector is established and is relatively organized
- low material recovery efficiency which encouraged consideration of alternative processes
- existing professional global market which connects the informal sector to the global market place
- “best of two worlds”: high collection rates and benefits of manual work in informal sector coupled with higher mechanization for resource recovery in formal sector

#### *Obstacles*

- difficulties accessing informal sector, e.g. for training workers
- some missing links to the formalized market place
- delayed payment from global market (informal sector requires immediate cash flow)
- difficulty in obtaining export licenses
- high costs of compliance
- reputation risks for global partners
- high costs for formalization of informal sector

### Case 4: Biodegradable plastics in Kerala, India

#### *Enabling factors*

- use of various information channels to support initiative (e.g. “green schools”)
- presence of political commitment (top-down from state level to local level)
- link/support to eco-tourism
- tax structure change to facilitate new market
- private sector partnerships provided financing
- high level of awareness of initiative
- phased approach, i.e. a rehabilitation scheme was in place to transition producers away from making “dirty” (non-biodegradable) plastic
- supporting projects to eradicate non-biodegradable plastics
- materials to produce biodegradable plastic were locally available

#### *Obstacles*

- some resistance from certain stakeholder groups

### General observations on an enabling framework

#### *Enabling factors*

- intrinsic material value of a waste: if a higher value is assigned, this will support ESM
- demand for the material / for the recycled product
- availability of accurate market information
- supporting regulation and enforcement
- national/regional incentive systems
- global incentive systems, e.g. carbon credits

#### *Obstacles*

- protectionism (duties, quotas, bans)
- lack of suitable infrastructure/logistics
- demand for absolute transparency (industry sometimes unwilling to provide full complement of information)
- “unlevel” playing field with regard to regulation and enforcement
- cherry picking, e.g. for ULAB, only lead is recycled, the remaining materials are disposed of

### **3. Certification schemes**

The option of developing a Basel Convention “ESM Standard” and a supporting certification scheme was discussed by the Advisory Group. The intention would be to create a global “level playing field” based on ESM.

### Global ESM Programme: a proposal

A proposal for a “Global ESM Programme” was put forth based on the preceding Advisory Group discussion, as an approach for promoting ESM principles in a coordinated manner. Suggestions for the composition of the Programme included:

- Development of an ESM standard which would apply to facilities, waste with hazardous constituents and processing techniques. This standard should complement existing standards such as ISO, EMAS and may be integrated into such standards or be used in conjunction with eco-labelling;
- The standard should be simple to use and affordable to allow for universal application;
- BCRCs should be entrusted to deliver certification to the standard to national facilities;
- The principles of ESM should be applied in a balanced manner and recognize that increased transboundary movements of hazardous waste may be preferable to ensure ESM (specifically, to support a regional approach to recycling/resource recovery in an environmentally sound manner whereby countries in the same region share specialized facilities);
- COP should have the over-arching responsibility in reviewing the standard and certification scheme and for making adjustments/refinements where necessary;
- The potential of establishing a monitoring and evaluation system through the Implementation and Compliance Committee should be investigated;
- Certification scheme should act as an incentive system for encouraging facilities to employ ESM practices;
- A timeframe for certification would need to be established – perhaps for 2 to 3 years, and a “probation” period for new facilities would need to be enforced.

### Advisory Group discussion on certification schemes

The presentation of the “Global ESM Programme” concept encouraged further discussion on the issue of certification schemes. Some questioned the idea of developing an international certification system as it was not clear who might apply for such certification, especially given many developing countries do not even have their own national systems. However, most of the Advisory Group saw merit in the concept and suggested that such a scheme might be initiated with a focus on one waste stream (for example, e-waste or ULAB) as a pilot. The need to cover the full materials cycle and to certify for ESM at all stages (i.e. suppliers, transporters, recyclers and final disposers) was also highlighted by one of the Advisory Group members. It was further suggested that a sizeable number of certification and eco-labelling schemes are already operational and that the possibility of utilizing such scheme(s) should be investigated.

## ANNEX II

### Agenda

#### Senior Advisory Group of Experts to the Executive Secretary of the Basel Convention on exploring the economic potential of the waste-resource interface

International Environment House I  
Chemin des anémones 11-13  
Room 2 (ground floor)

18-19 January 2011

#### DAY 1: 18 January 2011 (10:00-18:00)

- 10:00-10:30 Opening of the meeting and welcome of participants  
Round of introductions  
Context and objectives of the meeting  
Expected outcome of the meeting  
(*Katharina Kummer Peiry, Executive Secretary*)
- 10:30-11:00 Discussion on the programme and modalities of the meeting  
(*Ida Koppen, Facilitator*)
- 11:00-11:15 Recycling and re-use under the Basel Convention: Relevant provisions and technical guidelines, projects and partnerships; achievements thus far and opportunities for improvement)  
(*Ibrahim Shafii and Matthias Kern, Senior Officers of the Secretariat*)
- 11.15-11:30: Coffee break ---
- 11:30-12:00 Clarification and possible adjustment of the five questions set out in Concept Note (Q&A as necessary):
1. Which wastes / waste streams can be recycled and yield valuable secondary resources?
  2. What technologies / methods / facilities exist for each of the waste streams?
  3. What certification schemes or standards exist or could be developed for each of the waste streams, feasible for / applicable to different parts of the world?
  4. What are the costs and benefits of the relevant approaches in different policy contexts (both short term and long term)? What data is available to quantify this?
  5. What could be a useful and feasible approach for the Basel Convention to consider in this context?
- (*Ida Koppen, Katharina Kummer Peiry*)

*In-depth brainstorming on each of the 5 questions (option of working in smaller groups):*

- 12:00-13:00 Question 1: Discussion in two groups: Highly complex waste and non-complex waste

----- 13:00-14:00: Lunch break ----

- 14:00-16:00 Questions 2 and 3

--- 16:00-16:15: Coffee break ---

- 16:15-17:30 Question 4

- 17:30-18:00 Wrap up of Day 1

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**DAY 2: 19 January 2011 (09:00-17:00)**

- 09:00-09:05 Opening of the meeting  
*Katharina Kummer Peiry, Executive Secretary*
- 09:05-09:20 Proposed agenda for Day 2 (morning)  
*Ida Koppen, Facilitator*
- 09:20-09:45 Revisiting certification schemes
- 09:45-10:15 Presentation of case studies: successes and failures\*
- 10:15-11:15 Small Group discussion: Developing elements of an enabling framework
- 11:15- 11:30: Coffee break ---
- 11:30-12:30 Report back from Small Group discussions
- 12:30-13:30: Lunch break ---
- 13:30-13:35 Proposed agenda for Day 2 (afternoon)  
*Ida Koppen, Facilitator*
- 13:35-13:50 Reflections on the meeting thus far\*  
Development of recommendations: examples  
*Katharina Kummer Peiry, Executive Secretary*
- 13:50-14:05 Introduction of recommendations paper\*  
*Pierre Portas, Expert*
- 14:05-14:20 Drafting recommendations (individually)  
*Advisory Group*
- 14:20-14:35 Discussion of recommendations with a peer
- 14:35-15:30 Discussion of recommendations in plenary
- 15:30- 15:45: Coffee break ---
- 15:45-16:45 Discussion of recommendations (continued)
- Missing elements?
  - Appropriate structure?
  - Prioritization?
  - Feasibility assessment
- 16:45-17:00 Outcome of the meeting and next steps
- 17:00 Closure of the meeting

\* associated documentation available

## List of Participants

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Dr. Heidelore Fiedler	Senior Scientific Affairs Officer, UNEP Chemicals Branch, Geneva, Switzerland
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Mr. Michikazu Kojima	Director, Environment & Natural Resources Group, Japan External Trade Organization (JETRO), Tokyo, Japan
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Dr. Mathias Schlupep	Senior Project Manager, EMPA – Materials Science & Technology, St. Gallen, Switzerland
Mr. Francis Veys	Director-General, Bureau of International Recycling (BIR), Brussels, Belgium