



BASEL CONVENTION

**REPORT ON THE REVIEW OF THE
IMPLEMENTATION OF THE CURRENT
STRATEGIC PLAN**

March 2009

Executive Summary

The Strategic Plan for the implementation of the Basel Convention was adopted by the sixth meeting of the Conference of the Parties to the Basel Convention in 2002. It was built within the framework of the 1999 Basel Declaration on Environmentally Sound Management, when the Parties decided to identify key activities that were fundamental for the future implementation of the Convention in the years ahead. The Strategic Plan is composed of a strategic text and Action Table comprised of short (2003-2004) and mid-to-long term activities (2005-2011).

In the view of preparing a new Strategic Framework, Decision IX/3 of the Conference of the Parties requested the Secretariat to prepare a report, taking into account information gathered from consultations with the Parties, Signatories and the Basel Convention Regional and Coordinating Centres (BCRCs). As a result of these consultations, the Secretariat received 29 comments from Parties and signatories and 6 from BCRCs¹.

Following an introduction, Section 2 of the report deals with the comparative assessment of the Strategic Plan. The assessment is based on the Action Table in relation with all the activities undertaken by Parties, BCRCs and the Secretariat, according to the reported information. The full assessment table is available in the Annex 5.

Section 3 on lessons learned, many of the comments received by the Secretariat concerned the developments in the implementation of the current Strategic Plan and the enactment of national legislation. It is also noted during the Report that the Basel Convention Regional and Coordinating Centres had a fundamental role in relation to the implementation of the Strategic Plan. In this context, the BCRCs have implemented many projects and activities in the regions. The Report reviews the projects that were developed for the implementation of the Strategic Plan and, among other findings, states that the projects conducted were mostly focused on a few priority waste streams.

Section 3 of the Report also analyzed the obstacles that were encountered in the implementation of the Strategic Plan. In this aspect, the Report sustain that the lack of sustainable financing and difficulties in resource mobilization were among the main challenges to the implementation of the Strategic Plan.

Section 4 sets out the conclusions of the Report. The success in some areas of the implementation of the current Strategic Plan was based on the effective involvement, including financial and technical and coordination, by all

¹ Argentina, China, Egypt, Nigeria, SEA and Slovakia.

stakeholders concerned. It should be taken into account that the number of Parties to the Basel Convention grew from 152 in 2002 to 172 in 2009, which reflects a permanent and growing interest for the question of hazardous wastes management. Among the lessons learned for the development of the new Strategic Framework the report highlights the importance of the focus on priority waste streams, the possible benefits of the cooperation between Basel, Rotterdam and the Stockholm Convention and also the success of the involvement of private stakeholders such as the Mobile Phone Partnership Initiative (MPPI).

The 9 Annexes to the Report contain the text of the Strategic Plan, the decisions, the original comments sent by Parties, signatories and BCRCs. You may also find all relevant documents for the review of the current Strategic Plan, including the assessment table of the Strategic Plan and the lists of projects implemented.

ACRONYMS AND ABBREVIATIONS

3R	Reduce, Reuse and Recycle Initiative
BCCC	Basel Convention Coordinating Centre
BCRC	Basel Convention Regional Centre
BCRC-SEA	Basel Convention Regional Centre for South-East Asia
BCTF	Trust Fund for the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (Basel Convention Trust Fund)
BDTF	Trust Fund to Assist Developing and other Countries in Need of Assistance in the implementation of the Basel Convention (Technical Cooperation Trust Fund)
CEE	Central and Eastern Europe
COP	Conference of the Parties
EC	European Commission
ESM	Environmental Sound Management
FAO	Food and Agriculture Organization of the United Nations
G8	Group of Eight
GEF	Global Environment Facility
GTZ	Gesellschaft für Technische Zusammenarbeit (German Technical Cooperation)
MEA	Multilateral Environmental Agreement
MPPI	Mobile Phone Partnership Initiative
NCPCs	National Cleaner Production Centres
OEWG	Open-Ended Working Group
PACE	Partnership for Action on Computing Equipment
POP	Persistent organic pollutant
SBC	Secretariat of the Basel Convention
TAIEX	Technical Assistance Information Exchange Unit
UNEP	United Nations Environment Programme
DTIE	Division for Technology, Industry and Economics
UNIDO	United Nations Industrial Development Organization

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Report on the review of the implementation of the current Strategic Plan

1. Introduction

1. The Strategic Plan for the implementation of the Basel Convention (Annex I) is the blueprint adopted by the sixth meeting of the Conference of the Parties to the Basel Convention (COP 6) held in 2002 in order to give effect to the 1999 Basel Declaration on Environmentally Sound Management. The Strategic Plan establishes priorities in terms of policy and programmes, selected priority waste streams and projects in order to provide clear guidance for the implementation of the Basel Convention.

2. The fundamental aims of the Basel Convention are: (a) Control and reduction of the transboundary movement of hazardous and other wastes subject to the Convention ;(b) The prevention and minimization of their generation;(c) The environmentally sound management of such wastes and; (d) The active promotion of the transfer and use of cleaner technologies.

3. It is important to note that the Strategic Plan was initially established to cover the period of 2002 to 2010. However, through Decision IX/3, the Conference of the Parties decided to extend the implementation of the current Strategic Plan until a new Strategic Framework is adopted by COP10 in 2011 (Annex II). Consequently decision IX/3 established a collaborative system to develop the new Strategic Framework which is driven by the Parties together with signatories, the Basel Convention Regional and Coordinating Centres and others.

4. In this process, the role of the Secretariat of the Basel Convention was to receive and organize the comments received in relation to the developments and obstacles in the implementation of the current Strategic Plan. As a result, the Secretariat has received 35 comments in total, including 6 comments that were received from the Basel Convention Regional and Coordinating Centres following an intense and all-inclusive consultation process that was held through letters, teleconferences and electronic mails exchanges, together with interested Parties and other stakeholders. In this regard, in January 2009 the Secretariat of the Basel Convention created a special section on its website where all the relevant information for its review is available (<http://www.basel.int/stratplan/index.html>).

5. In addition, Decision IX/3 of ninth meeting of the Conference of the Parties to the Basel Convention requested the Secretariat to prepare a report, taking into account the information gathered from consultations, containing relevant information and conclusions on the review of the implementation of the Strategic Plan. The same Decision also requests that the report includes, among other things, a comparative assessment of the Strategic Plan and the results of its implementation. Finally, the decision requested that the report prepared by the Secretariat would be published on the website of the Secretariat of the Basel Convention by 30 March 2009.

6. By clearly defining the objectives of the Basel Convention for the future, the Strategic Plan has contributed to sustain the vision set out in the Basel Declaration on the Environmentally Sound Management that was adopted at the sixth meeting of the Conference of the Parties. Furthermore, the Strategic Plan also played a significant role in making technical assistance more relevant, transparent and coherent with the objectives of the Basel Convention.

7. Even if the Strategic Plan has faced many obstacles in its implementation, which will be detailed in this Report, it certainly achieved some tangible results that need to serve as a basis for the strategy of the Convention in the future.

8. Therefore, the aim of the present report is to give an overview of the implementation of the Strategic Plan to the Basel Convention between 2002 and today. It is to note that the

present report was prepared following the structure proposed in Decision IX/3 of the Conference of the Parties.

2. Comparative assessment of the Strategic Plan and the results of the implementation of the Plan

9. A detailed comparative assessment is included in Annex V of the present report. The comparative assessment follows the original structure of the Strategic Plan and its Action Table that was adopted by Parties in 2002. The table was prepared in order to present the original Strategic Plan linked with the activities that were prepared for its implementation.

2.1. Methodology

10. The Comparative Assessment was prepared through an extensive research in the reports of the Conference of the Parties and the Open Ended Working Groups, Expanded Bureau, Implementation and Compliance Committees, report on the operation of the Basel Convention Regional and Coordinating Centres and information available on the website of the Secretariat of the Basel Convention. All the information used in the preparation of the Comparative Assessment is public and is currently available at the website of the Secretariat of the Basel Convention. Among the obstacles to the preparation of the Comparative Assessment was the reference with projects that were relevant for different parts of the Strategic Plan. In this sense, it is important to underline that most of the projects mentioned in the Comparative Assessment addresses different fields in the same time and address different clusters. Therefore, it is accurate to mention that the achievements on the implementation of the Strategic Plan are actually much more important to what was strictly referred in the Comparative Assessment.

2.2. Indicators

11. The indicators used in the original action table of the Strategic Plan were useful to provide indications and define the achievement's targets for 2004 and 2011. However, several of these indicators were not compatible with a proper assessment of the Plan. In this sense, and taking into account the existing information, it is unreasonable to objectively quantify, for example, "if the majority of Parties are implementing their national legislation in conformity with the obligations of the Basel Convention and pursuant to the goal of environmentally sound management"

3. Lessons learned on the implementation of the Strategic Plan

12. In this section, the report presents the most relevant and common concerns to the implementation of the Strategic Plan to 2010 by areas of action, as expressed by the Parties, signatories and the Basel Convention Regional Centres. A transcription of all the comments that were received by the Secretariat is presented in unedited form in Annex IV.

3.1. Areas of actions

3.1.1 Financial matters

13. The most frequent concern expressed by the Parties and the Basel Convention Regional Centres is in regard to a sustainable financial mechanism. It is noted that Decision VI/1 of the Conference of the Parties "agrees to mobilize resources to implement the Strategic Plan for 2003-2004 and to develop a financial strategy for the period 2005-2010". During the period of 2003 to 2004 an amount of US\$ 1,200,000 served to finance 20 of the 21 projects listed in the Strategic Plan.

14. Furthermore, Decision VII/1 notes that “a sustainable and adequate financial basis is essential for the implementation of priority actions of the Strategic Plan up to 2010”. During the process of consultation in regard to the implementation of the Strategic Plan, many Parties noted that the seventh meeting of the Conference of the Parties did not include the plans for resource mobilization for activities in the implementation of the Strategic Plan. The only source of funding for activities on the implementation of the Strategic Plan has been the Basel Convention Technical Cooperation Trust Fund, which only received very limited contributions for specific and punctual projects or activities. It is also relevant to note that often contributions to the Basel Convention Technical Cooperation Trust Fund were made in priorities formally or informally agreed with the donors, sometimes in despite of the Strategic Plan. The unpredictability of the existing financial voluntary mechanism, which eventually down turned into scarcity of financial resources for activities, was manifestly highlighted by the Parties as the main obstacle for the implementation of the Strategic Plans and its activities.

15. As a consequence, several Parties considered that the Strategic Plan to 2011 is too ambitious, considering the limited funds that were made available for its implementation. In addition, the access to other sources of funding has always been kept difficult. It was also noted that funding was also an issue in relation to the participation of developing countries in meetings of the Conference of the Parties and the sessions of the Open Ended Working Groups.

3.1.2. National legislation

16. According to Decision VIII/26 of the Conference of the Parties, the role of the Secretariat is to “maintain a collection of national legislation (...), and to make such measures available on the Convention website”. Accordingly, it is difficult to objectively evaluate how the goals of the Basel Convention are taken into account in every national legal system since it implies not only that Parties adopted and enacted pertinent legislation, but also that the legislation is adequate, coherent and enforceable within each legal system.

17. In this purpose, the Secretariat, through its legal unit, has been mobilizing efforts to advise and assist Parties in regard to the adoption, enactment and implementation of national legislation. It is important to note that this role have been mostly done individually, through the contact of countries directly with the Executive Secretariat or its legal unit. The Secretariat has been involved in regional activities with a view to develop and review national legislations and the judiciary system of developing countries. Recently, these activities have been scarce due to the limitation of funds.

18. It is also relevant that most of the Parties that submitted comments on the implementation of the current Strategic Plan reported on the adoption of relevant national legislation.

3.1.3. National Reporting

19. The Secretariat prepares country fact sheets based on the information submitted by the focal points of each Party that has adequately completed the questionnaires on transmission of information. Each fact sheet is intended to provide concise information on:

- a) the national definition of waste and hazardous waste;
- b) restrictions on transboundary movement of hazardous wastes and other wastes;
- c) reduction and/or elimination of hazardous waste generation, transboundary movement reduction measures;

- d) disposal/recovery facilities;
- e) bilateral, multilateral or regional agreements;
- f) technical assistance;
- g) Training available and data on the generation and transboundary movements of hazardous wastes and other wastes.

20. The reporting database is publicly accessible through the web site of the Convention (<http://www.basel.int/natreporting/index.html>) that is intended to manage process and retrieve the data and information submitted by the Parties.

21. The evolution of national reports has been the following:

- 98 Parties had updated/completed the questionnaire on data and information for the year 2002.
- 103 Parties transmitted their updated/completed the questionnaires to the Secretariat for the year 2003.
- 101 Parties transmitted their updated/completed 2004 questionnaire to the Secretariat.
- 95 Parties transmitted their updated/completed 2005 questionnaire to the Secretariat.

In sum, it was observed that between 2002 and 2006 the number of Parties increased from 152 to 168, while the number of Reporting Parties decreased from 98 to 86.

22. The record of national reports was 103 Parties in 2003. However, the number of national reports has been constantly decreasing ever since. The reasons of that decrease are many. Amongst them, some Parties do not report. Secondly, some Parties report but there is a lack of sufficient data and information in the reports received.

23. In order to further facilitating reporting by Parties, the Secretariat has taken several actions, amongst them a simplify questionnaire, which was adopted by decision VI/27. Moreover, according to decision IX/2 on the workprogramme for the Committee for Administrating the Mechanism for Promoting Implementation and Compliance of the Basel Convention for the period 2009-2011, the Committee will ensure and improve effective and complete national reporting.

24. The Secretariat carried out quality control exercises in 2004 and 2005 with a view to ensuring the quality of the data contained in the reports of the Parties on generation and transboundary movements of hazardous wastes and other wastes. In addition, the Secretariat contacted focal points of the Parties with a view of solving inconsistencies and clarifying information whenever it was necessary to ensure the quality of the data contained in the report database. Additionally, pursuant to article 13 of the Convention, the Secretariat has prepared consolidated reports based on the information provided by Parties in regard to restrictions on the transboundary movements of hazardous wastes and other wastes for the years of 2004 and 2005.

3.1.4. Capacity building

25. Capacity-building can be defined as the process of assisting countries in developing their capacities to make progress towards sustainable development. Capacity building in the Basel Convention includes activities such as training, assessments, technology transfer of environmentally sound technologies, awareness-raising as well as the development of methodologies, tools and instruments for the environmentally sound management of hazardous wastes and other wastes.

26. Capacity building, as defined in article 14(1) of the Basel Convention and described in the Strategic Plan is an essential aspect in the work between multilateral environmental agreements and therefore is one of the main areas to be addressed in the process of cooperation and coordination among MEAs. Many Parties recognizes that the Strategic Plan contributed to assist developing countries implementing the Basel Convention in many areas. As a consequence, several projects were implemented and some delivered quality results that contributed for the delivery of training, manuals, guidelines, information sharing and awareness-raising in areas relevant to the Convention.

27. The Secretariat has worked closely with several partners, in particular the BCRCs, the Parties, several United Nations bodies and other international agencies, the private sector and non-governmental organizations for the preparation and implementation of capacity-building and training activities linked to the implementation of the Basel Convention.

28. Following decision VI/11, public awareness of the Basel Convention has been promoted through the publication of several relevant materials, the publication of newsletters, and the contribution of other materials to several publications. In addition, the website of the Basel Convention was improved and permanently up-dated (www.basel.int).

29. The Secretariat has published twenty-three Technical guidelines, seven training Manuals and five guidance manuals.

30. All the activities implemented are listed in the annexes VI, VII, VIII and IX. Many activities related to training, capacity-building and promotion of the public awareness were implemented by the BCRCs, even if their number were limited, due to the restricted funds available. In line with the provisions of paragraph 2 of decisions VI/11, the Basel Convention Secretariat has continued developing training programmes and organizing national and regional training activities.

3.1.5. Roles of the different actors

31. The question of the role of the different actors involved in the implementation of the Basel Convention was raised in many comments received by the Secretariat. It is important for an efficient implementation of the Basel Convention that the roles from the Parties, the BCRCs, the host countries, the Secretariat and the Implementation and Compliance Committee are clearly defined and understood.

32. As written in the introduction of the Strategic Plan, “governments, the backbone of the implementation of programmes and activities, are encouraged to seek the assistance of the secretariat and the Basel Convention Regional Centres as well as of other stakeholders. The operational BCRCs will be one of the key delivery mechanisms to implement the Strategic Plan at the regional level. The mobilization of industry and other non-governmental organizations is important to ensure the practical application of environmentally sound management. Parties are responsible for establishing, maintaining and improving, as necessary, the general policy framework required for the evaluation and monitoring of the progress with the Strategic Plan.”

3.2. Contributing towards the development of the Convention

33. The contribution of the Strategic Plan to the implementation of the Basel Convention and its development is a key subject. The two main elements came out of the comments received from Parties on the implementation of the current strategic plan, which helped in the implementation are the projects/activities and the national legislations.

34. Many countries highlighted that the Strategic Plan “contributed to improve the environmentally sound management through pilot projects and development of national capacities in the subject”. In this regard, the Basel Convention Regional Centres have played a key role in its implementation.

35. Moreover, the Strategic Plan is considered as “key tool for the Basel Convention. It is proven that the current strategic plan is a major instrument to promote the Basel Convention implementation and capacity building and is also a compass to the development of the Basel Convention.”

36. In relation to this specific part of the Strategic plan, one Party sustained that “the field (c) of the Strategic Plan aims at the further reduction of transboundary movements of hazardous and other wastes subject to the Basel Convention, taking into account the need of efficient management, the principles of self-sufficiency and proximity and the priority requirement of recovery and recycling. In reviewing the current Strategic Plan and developing a new strategic framework, the Parties and the Secretariat need to consider a balanced way to minimize the threat of hazardous wastes to human health and the environment as well as to ensure their environmentally sound and efficient management on a regional scale, taking into account regional and national diversities and specificities”. Another Party to the Convention agreed that, “certain waste listings should be clarified, especially with regards to materials going for reused, manufacturing and recycling”.

37. Also, another Party mentioned “pressuring demands for management plans, voluntary agreements and regulatory instruments that provide references for the life cycle management of hazardous wastes and the environmental responsibility of generators, prioritizing prevention, general reduction on hazardous wastes and the promotion of the most adequate environmental policies”.

38. Another concern that came from many different comments received was about the illegal traffic. The Secretariat of the Basel Convention have been working together with the Parties and the Basel Convention Regional and Coordinating Centres in order to address illegal traffic by the development of a directory of institutions offering training activities and by developing projects aiming to enhance the capacity of the countries to tackle illegal traffic. As a result, specific activities aiming to combat illegal traffic were developed in the Basel Convention Regional Centres located in Argentina, China, Egypt and Senegal. One BCRC highlighted that the problem of illegal traffic of hazardous waste persists “which is a manifestation of the lack of or ineffectiveness of the control measures in the control of the transboundary movement of hazardous and other wastes that are in place now.”

39. Many BCRCs stressed the fact that “it is important to canvass political support for the strategic plan to encourage parties to the convention especially those in developing countries and countries with economies in transition to complement donor support as these countries would benefit from the implementation of the plan.” One BCRC added that the lack of financial support includes “the risk of losing trained staff.”

40. According to several countries and BCRCs, “new types of waste flows, such as e-wastes, have brought a lot of environmental and health problems and need to decide whether they are under the control of the Basel Convention or not and how to control them”.

41. In fact, as a Party have observed “the economic growth in developing countries has boosted the demand for resources, The scarcity of natural resources has increased the environmental as well as economic rationale for acquiring recyclable resources from wastes. Since advanced globalization has intensified the uneven distribution of supply and demand or recyclable resources, transboundary movements of those resources for the purpose of recovery and recycling, some of which include hazardous materials subject to the Basel Convention, has been promoted”.

42. The same concern is shared by one signatory, which stress the fact that “many countries that did not have the capacity to manage wastes when the Convention entered into force became more industrialized, developed this capacity, and recognized that the industry can generate jobs and elevate standards of living. Further, as economies grow and markets globalize, waste minimization policies that address end-of-life products and materials only are not effective in reducing the increasing amounts of waste associated with economic activity and material consumption. There is a need for integrated and long-term solutions, based on a life-cycle approach.”

43. A Party reported on the strengthening of its institutional capacity in relation to hazardous wastes, like “coordinated inter Government environmental policies, strengthening environmental management; establishing National Agency Environment and Forestry, National Agency for Natural Resource, etc”.

44. Finally, another Party included in its report the information that “in December 2006 the Environmental Policy for the Environmentally Sound Management of Hazardous Wastes was enacted with the aim to prevent the generation and promote the environmentally sound management of such wastes, with the objective of minimizing risks to human health and the environment and thus contribute to sustainable development.”

45. Another Party preferred to focus on the challenges in implementing the Strategic Plan. According to this Party, these challenges are:

- Addressing the challenges that small and/or geographical isolated countries face.
- Promoting product stewardship schemes for hazardous waste (e.g. waste electrical and electronic equipment). We note that for some products these may be best managed globally as disposal may be challenging or require large economies of scale in order to be effective.
- Reducing transboundary movements of hazardous waste while promoting the reuse, recycling and recovery of hazardous waste which can require export to appropriate facilities. Controlling illegal traffic.

3.2.1. Role of the BCRCs

46. The implementation of the Strategic Plan of the Basel Convention to 2011 varies in each region. The main reasons are the local and regional specificities and the specific needs vary from one region to another. Moreover, as underlined by one of the BCRC, “the differences in the implementation are mainly due to infrastructural, human and financial resources constraints”.

47. The roles of the BCRCs are multiple and according with one of the BCRC, “the Basel Convention Regional and Coordinating Centres played an active role in implementing projects, developing technical guidelines that address specific wastes streams, adapting the existing technical guidelines to their region, and organizing training and awareness raising workshops”.

48. On the other hand, as a Party reminded it “the main objective of the Basel Convention Regional Centres is to become an entity that promotes capacity building, technology transfer and information on the environmentally sound management of hazardous wastes and other wastes; with the objective of preventing damage to health and the environment at national, sub-regional and regional level”.

49. For instance, one of the BCRC reported on all the projects, activities and technical assistance carried out by the Centre on the implementation of the Strategic Plan. The project “implementation of Illegal Traffic on Hazardous Wastes and others”, for example, resulted in the publication and translation of the Basel Convention Implementation Manual

and a workshop on the implementation of measures against illegal traffic of hazardous wastes and other wastes, jointly held with custom authorities of the region. The BCRC also reminds that “the ratification and implementation of the Protocol on Liability and Compensation was promoted in the region through the carrying out of a workshop”.

50. According to this Centre, the Basel Convention Regional and Coordinating Centres also played an important role concerning the synergies in carrying out activities “on the cooperation and coordination of synergies with other International Environmental Agreements”.

51. As pointed out by one of the BCRC, another role of the Basel Convention Regional Centres concerns “the technical assistance provided to countries in the region regarding the formulation of a regulation to prevent generation of wastes and the promotion of the environmentally sound management of waste generated”.

52. As an example, the BCRC mentions “the project on the inventory of e-waste in South America. The objective of it was the elaboration, drafting and updating of a national inventory and the technical guidelines with relation to the subject of electric and electronic waste, with a view to comply with international regulation aimed at achieving an environmentally sound management of these wastes”.

53. As indicated in their comment, the Basel Convention Regional Centres have also played an important role in strengthening “links with other stakeholders in the international system on hazardous wastes within the region”.

54. According to one of the BCRC, the main obstacles encountered by the Basel Convention Regional and Coordinating Centres are due to:

1. Lack of availability of donors to fund most of the projects proposals submitted through the Secretariat of the Basel Convention
2. Inadequacy of funds in the Trust Fund of the Basel Convention, which severely limits the number of projects and programmes to be funded from this source
3. Inadequate and/or lack of financial support from Parties served by the various BCRCs and BCCCs
4. Needs for capacity building for the BCRCs and BCCCs in the areas of Project Proposal Formulation and Preparation, Project Implementation and Management.

55. Another negative consequence stated is the limitation of involvement of the BCRCs and the BCCCs as they do not benefit from predictable and sustainable funding due to the lack of funding”.

56. On the same subject, another BCRC pointed that “in implementing the Strategic Plan, the BCRCs’s major obstacle is the lack of funding to carry out these activities. Many of the planned activities in the Business Plan have to be re-scheduled or cancelled due to financial matters. In most cases, the BCRCs carried out other activities/projects not initially planned in the Business Plan, depending on the donor’s request to carry out a certain activity, although still very much related to the functions of the BCRCs”.

57. In this regard, the BCRC stressed the importance of capacity building of the BCRCs on resources mobilization to obtain the resources required in order to facilitate their important role in conducting the activities in the Strategic Plan. It is also noted that in addition to lack of funding, BCRCs have not been given sufficient structural strength under the reporting and consultative mechanism. Parties have no obligation nor need for optimally utilizing BCRCs if the role of BCRCs is not strong enough, e.g. there is no obligation for parties to share their national reports with BCRCs. So, while BCRCs are responsible for facilitating the parties in their regions, it is not easy for BCRCs to access and analyze

information needed to synthesize actual regional figures and actual regional needs to effectively implement the Convention.

58. Another example, even without the role of BCRCs, parties and donors can cooperate bilaterally anyway as long as the cooperation exclusively benefiting both donors and receptors. As a result, there is insufficient demonstrated proactive/active participation of some member countries in the region to neither help each other nor seriously cooperate in solving problems at the regional level. Lack of funding, indeed, is the common, but not the only main problem. Should the parties and their BCRCs, including the host countries, in their regions have equally strong will and commitment to cooperate in all aspects of the Convention implementation, there should be some useful programs that can be planned and implemented together successfully without too much being dependent on external funding. The steering committee mechanism should facilitate such cooperation if it is also optimally functioning.”

59. Finally it was stressed the fact that “in the implementation of the current Strategic Plan, the BCRCs are not fully used because of the limitation on financial resource” and also that there are some difficulties in training their staff and the need for “speeding up of dissemination of information on the work of the Centres to different regional and international organizations”.

60. Therefore one Party stressed the need for “ensuring predictable financial & technical support for the BCRCs”.

61. According to another Party, “it is necessary to strengthen the Basel Convention Regional Centres in order to offer more training and support to the Parties, especially in developing countries, in relation to technology transfer, planning and implementation of systematic actions aimed to consolidate the management of hazardous wastes and other wastes in their territories and the respective regions.” Also a different country stressed the need “for strengthening the mechanism for regions and BCRCs to gather and disseminate information within and between Regions (i.e. strengthening work/learn from each others)”.

62. As the decision IX/4 of the Conference of the Parties recognized, the Basel Convention Regional and Coordinating Centres have become an essential instrument for the implementation of the Strategic Plan.

3.2.2. Role of the Partnership Programme

63. The sixth meeting of the Conference of the Parties adopted the Basel Convention Partnership Programme under decision VI/32 as part of the Strategic Plan, convinced that the active involvement and support of industry and business organizations and non-governmental organizations is necessary to achieve the aims of the Basel Convention.

64. In the Nairobi Declaration relating to electrical and electronic wastes issued in 2006, the Ministers and heads of delegation attending the eight meeting of the Conference of the Parties underlined the fact that the Basel Convention provides an effective framework for developing strategic partnerships to continue discussing and exchanging views and experiences.

65. The two main partnerships that have been established since 2002 are the Mobile Phone Partnership Initiative (MPPI) and the newly adopted Partnership for Action on Computing Equipment (PACE). There is also a growing interest of the lead and cement industries, in working together with the Basel Convention.

66. The MPPI was established at the COP6 in 2002 as a sustainable partnership on the environmentally sound management of used and end-of-life mobile telephones. Since then five technical guidelines were developed and one overall guidance document was prepared. All five guidelines and the overall Guidance document are being used by Parties, BCRCs,

industry, NGOs and other stakeholders in raising awareness on the environmentally sound management of used and end-of-life mobile phones. The benefits of the MPPI are:

- Consumers should have confidence that re-sold phones processed in accordance with the guidelines are of a satisfactory standard with respect to product safety, quality, longevity and environmental performance.
- Manufacturers should have confidence that both importers & local reproducers are aware of the best practices with respect to refurbishment, materials recycling, transboundary movements, and implement these for products they manufactured.
- International Organizations, such as UNEP, benefit by the fact that partnership such as MPPI make correct contribution to the implementation of sustainable development goals, outlined in environmental agreements such as the Basel Convention. It also contributes towards the implementation of Agenda 21, and Johannesburg Plan of Implementation.
- Partnerships like MPPI complement government's initiatives to deliver on goals and objectives under various environmental agreements, while promoting cooperative sustainable and transparent working agreements with all stakeholders.

67. The PACE was launched at the COP9 in 2008. PACE is a multistakeholder partnership that will provide a forum for governments, industry leaders, non-governmental organizations and academia to tackle the environmentally sound management, refurbishment, recycling and disposal of used and end-of-life computing equipment.

68. The Partnership is intended to increase the environmentally sound management of used and end-of-life computing equipment, taking into account social responsibility and the concept of sustainable development, and promoting the sharing of information on life cycle thinking.

69. A set of working principles and activities for the PACE were adopted by the Conference of the Parties. The PACE started its work and the development will be available on SBC's website (<http://www.basel.int/industry/compartnership/index.html>).

70. As underlined by a BCRC: "the development of the partnership programme under the Convention, specially the Mobile Phone Partnership Initiative (MPPI), and may also apply to the newly adopted Partnership for Action on Computing Equipment (PACE), provides a landmark to the successful cooperation among multi-stakeholders including industry, governments and the civil society in the context of the Basel Convention. This laudable concept needs to be expanded to tackle the Environmentally Sound Management (ESM) of other priority hazardous waste streams in addition to e-waste issue which is presently being addressed."

71. Another BCRC also welcomed the success of the Partnership Programme and suggests "that the partnership programme should be continued and strengthened in the new strategic framework as a key instrument to support the implementation and capacity building of the Basel Convention."

72. It is important to note that the Strategic Plan to 2011 became a dynamic framework, which incorporated important new elements like the "Decision VIII/1 on Côte d'Ivoire" and the "Nairobi Declaration on the environmentally sound management of electrical and electronic wastes and decision VIII/2".

73. This should encourage Parties for future action, as it was expressed by one Party "industry participation in terms of product stewardship in take back schemes world wide are lacking".

74. A similar concern is shared by another Party which mentioned the issue as one of the "areas not addressed in the Strategic Plan, raising awareness with waste and recycling

business and industry about where to send waste and where waste/resources go to improve reuse, recycling and recovery” and also “improving waste minimization, running pilot programmes with industry”.

3.2.3. Obstacles in the implementation of the Strategic Plan

75. The main obstacles in the implementation of the Strategic Plan are mainly the lack of adequately and sustainable financial mechanism, the difficulties in resource mobilization, the lack of expertise in several developing countries and the limited human resources in the Secretariat.

76. The obstacles encountered by one Party were described as following: “Absence of proper facilities to dispose hazardous waste; lack of adequate and updated legislation and enforcement mechanisms to address hazardous waste management issues; Lack of an effective monitoring system and implementation mechanisms to effect changes; Limited collaboration among agencies for the management of hazardous wastes; Lack of understanding of roles and responsibilities by stakeholders in hazardous waste management; Weak mechanism for the sharing of information among stakeholders to enhance decision making; Lack of record keeping on hazardous waste generation at the source; Under utilization of technical expertise where it may be available; Improper use of practical and theoretical expertise; Lack of or inadequate technology for effective hazardous waste treatment; High cost for the treatment of hazardous waste; Cost recovery mechanisms that could be used for investment in hazardous waste management are lacking; Inadequate funding available locally for Hazardous Waste Management; Lack of resources for training; Behavior and cultural resistance to change waste management practices; Lack of acceptance of roles and responsibilities for major stakeholders.”

77. Similarly, another Party faced obstacles like “lack of National Strategic Plan for hazardous waste management; Lack of regulation and sub legal act for sound management of hazardous waste (reduce, reuse, recycles, incineration, landfill); Lack of funds for training of specialists for treatment of hazardous waste, (incineration, management elements for hazardous waste landfill etc); Lack of necessary data concerning waste production and management; Development of hazardous waste list, inventory and identification of new hazardous waste; National information systems and information exchange is yet weak. Lack of necessary data concerning waste production and management (hazardous waste generation, quantity, physic- chemical properties, and producers of waste) etc; Strengthening activity in regional or local level and role of the local inspectors; (...); Interministerial coordination (establish of the national office as a coordinator for information and dissemination, registration of the life-cycle wastes etc); Resource mobilization; Awareness rising; (...).”

78. One Party also reported on different issues that were observed in the implementation of the Plan:

- The impossibility to achieve progress in relation to the Ban Amendment, adopted in 1995 during the third meeting of the Conference of the Parties (Decision III/1) can be an issue that weakens the commitments in implementing the Strategic Plan.
- It is necessary to give importance to the actions on the dissemination of information and public awareness in relation to the problem of hazardous wastes in order that the public at large and involved stakeholders may count with an adequate database to improve their degree of commitment in attaining the objectives of the Strategic Plan.
- Regarding the development of the efforts directed towards strengthening synergies with other Multilateral Environmental Agreements related to the management of chemical products, it is necessary to establish that these agreements are considered

a commitment on the environmentally sound management of hazardous wastes and chemical products covered therewith. That is for example the case of the Stockholm Convention and the Montreal Protocol.”

79. More generally, one Party observed that “the main problem and obstacle related to existing Strategic Plan is lack of adequately and sustainable financial mechanism to support developing countries and countries with economy in transition to implement the Basel Convention and its Strategic Plan as well as to ensure realization of role and tasks of the Basel Convention Regional Centers”.

80. In the opinion of a different Party “in order to ensure an effective implementation of (...) activities, a sustainable financial mechanism is required which shall be capable to cover the constant costs incurred. In this context, one of the outstanding difficulties observed is the limited availability of funds, which have a direct effect in the capacity of the Centres in the development of their activities”.

81. Moreover, the same Party also affirms that “the Secretariat has experienced constraints regarding its limited human resources assigned to the specific area that is attached to the transboundary movements of hazardous and non-hazardous wastes. (...). Such limitations not only reduce the capacity to the analysis and review of documents and technical guidelines, but also to provide due response to requests for comments from the Secretariat of the Convention, and also for the participation in other initiatives regarding the implementation of the Basel Convention.”

82. Another Party also stressed financial aspects in the obstacles observed. “Even if tangible results have been achieved in the implementation of the Strategic Plan on the application of the principles and obligations of the Basel Convention at the world level, it is nevertheless evident that the main obstacle faced by the Plan, is the little financial resources available to support developing countries on the implementation of the Plan and to carry out priority actions in coordination with the Regional Centres”.

83. According to a different Party, “although the Strategic Plan (2000-2010) has been proven to be an important mechanism to support the implementation of the Basel Convention, it is noted that the activities/projects under implementation did not cover all of the activities identified in the Action Table of the Strategic Plan and also did not cover all the regions and parities because of the difficulties of resource mobilization. In our views, the main obstacles or problems in the implementation of the Strategic Plan could be reflected in two aspects as follows:

- (a) The lack of effective and sustainable financial mechanism to support the implementation of the Strategic Plan resulted in the partial and incomplete implementation of activities identified in the Strategic Plan. The outcome of some projects have not been effectively delivered and extended to other regions or countries to highlight their demonstration roles. It is also because of the lack of financial resources, the regional centers have not been well used, and the work on technology transfer urgently needed by many developing countries has seldom been carried out.
- (b) The activities/projects on the control of transboundary movements of hazardous and other wastes are not highlighted in the current strategic plan and lack enough implementation although it is one of the key objectives of the Basel Convention.”

84. As described by a Party its main obstacles are “insufficient qualified persons in developing countries, because of lack of human’s capacity-building related to the environmentally sound management of hazardous wastes; insufficient hazardous wastes

management's infrastructures in developing countries; Insufficient legal and regulatory framework; Lack of policy of environmentally sound management of hazardous wastes with an operational action plan; The ineffectiveness of sustainable strategy for mobilizing financial resources".

85. Finally, one Party encountered the following difficulties: "Problems with the elaboration and approval of new procedure manuals, directives and regulations; Difficulties with the financing for training of personnel; Problems in the training of firms dealing with the recuperation of wastes; Financial difficulties to carry out pilot projects in untrained areas; Lack of coordination by the Regional Centre regarding the Convention; Lack of personnel; Waiting for support by the Secretariat of the Basel Convention to implement the present plan."

3.3. Achievement of the projects

86. Since 2002, eighty-four projects, activities and workshops have been implemented, mainly through the BCRCs (see annex VI, VII VIII and IX). Concerning the geographical representation, the number of projects implemented is very similar in the four regions, twenty-one in Africa and West Asia, twenty in Asia and Pacific, twelve in CEE and eighteen in Latin America and the Caribbean.

87. On the other side, we notice that there is a great difference in the number of projects implemented concerning the priority waste streams areas. Many projects were related to electrical and electronic wastes (13), Persistent organic pollutant wastes including obsolete stocks of pesticides, PCBs and dioxins and furans (12) and used-oils (8).

88. But the others priority wastes streams, namely Used Lead-Acid batteries (4), biomedical and health-care wastes (3), household wastes mixed with hazardous wastes (2), By-product from dismantling of ships (1), asbestos and mercury wastes received very few support for implementation (0). Many of these projects are under preparation, waiting for the approval of a donor country.

89. Otherwise, many projects (25) are not listed under the priority waste streams but have been implemented since 2002.

90. One BCRC suggested that "priority projects in the present Plan should be rolled over into the new plan, while also incorporating new emerging issues; and actively carrying out intense stakeholders awareness raising and education". In the same direction, another BCRC also suggests "that the activities/projects without implementation be reviewed and included selectively in the new strategic framework."

91. One Party raised the question of the evaluation of the projects, in order to improve the lessons learned in each project.

92. As another Party highlighted, "no major projects have been developed in Small Islands Developing States". This raises the question of the geographical representation in the implemented projects. As reported above, the general geographical representation is quite equal but it is certainly true that not all regional specificities have been addressed yet.

93. And that "no major development of pilot waste minimization projects that can be replicated region wise".

94. One Party reported on the actions taken by the country since 2003, like "the control through the Customs Office of the Argentinean government of all transboundary movement of hazardous wastes in the terms of the Basel Convention and national legislation; the elaboration and publication in the Secretariat's website of reports on territorial movements of hazardous wastes for 2004 and 2005; the implementation in 2008 of two pilot projects on the recollection and management of electric and electronic waste no longer in use coming from

households. These projects were carried out with the aim of elucidating the problem emerging by this type of wastes and to define the framework for a sustainable environmental sound management; the organization of a series of seminars in 2008 on management, handling and treatment of used tires as well as wastes originating from electrical and electric equipment”.

95. Finally, a Party raised the question “to find out why fewer activities were undertaken for some fields of the Strategic Plan”. The main reasons are the activities were implemented taking into account the specific needs of the Parties or the regions, according to the available funding.

4. Conclusions

96. The adoption of the Strategic Plan during the sixth meeting of the Conference of the Parties was a milestone in the development of the Basel Convention that served to build on the achievements of the Convention and to develop the vision of the Basel Declaration on Environmentally Sound Management.

97. The fields of the Strategic Plan taken from the Basel Declaration continue to be the focus of the further implementation of the Basel Convention since the proposed actions were not implemented fully and in depth, despite of the ambitions and expectations of the Parties. The main reason contributing to this outcome is the lack of a sustainable financial mechanism or financial resources. As evidenced by the projects, the capacity building activities and the associated work that have been carried out for its implementation, the Strategic Plan would certainly benefit from a greater financial commitment.

98. In relation to the involvement of the different actors in the implementation of the Strategic Plan, it is noted that the role of the Parties varied considerably. A possible reason for this is that some Parties understood that the main focus of the Strategic Plan was the developing countries and countries with economies in transition, while other Parties felt that several of the fields of the Basel Declaration and the Strategic Plan were relevant for both developed and developing countries. There is need to clarify the target Parties in each cluster of the Strategic Plan. It is suggested that the new Strategic Framework would address the needs of all Parties.

99. It is also necessary to determine the focus areas of the Strategic Plan in light of the current capacity of the Secretariat of the Basel Convention and the Basel Convention Regional and Coordinating Centres. In the preparation of this Report it was noted that other actors could have a larger role to play in certain areas, such as biomedical and healthcare wastes, and might have been implicated more in these areas.

100. The comparative assessment which was made under the present report showed that the cluster related to the “Prevention, minimization, recycling, recovery and disposal, the active promotion and use of cleaner technologies and production, with the aim of the prevention and minimization of hazardous and other wastes and the improvement and promotion of institutional and technical capacity-building, as well as the development and transfer of environmentally sound technologies, especially for developing countries and countries with economies in transition” was not fully implemented. This is possibly due to the fact that waste minimization policies that focus on end-of-life products and materials are not effective in reducing the increasing amounts of waste associated with production and consumption. Therefore, it is suggested that the new Strategic Plan should focus on long-term solutions, based on a life-cycle approach.

101. Another important topic that emerged in the present Report concerns compliance with national reporting obligations. The Report notes that the number of Parties which transmit their national reports has been steadily decreasing between 2003 and 2006.

Moreover, the quality of the data transmitted through the reports varies significantly amongst the Parties, making it very challenging to elaborate a comparative assessment based solely on the available information.

102. With regard to national legislation, a great number of Parties transmitted information to the Secretariat of the Basel Convention, which has been made the relevant national legislation available on its website. It should be noted however, that this information has not generated any type of study or assessment which would have been necessary to ensure that these legal texts effectively transpose the Basel Convention in the legal systems of each and every Party.

103. In relation to capacity-building, the present Report indicates that many projects and activities have been implemented in order to assist developing countries in addressing problems arising from the management of wastes covered by the Basel Convention. Several of these yielded very positive results and produced, for example, guidelines and manuals that have been used and disseminated by the Secretariat of the Basel Convention and through the Basel Convention Regional and Coordinating Centres.

104. Among the lessons learned from the implementation of the Strategic Plan to 2011 it is important to highlight the selection of activities for the implementation of the Strategic Plan in determined waste streams focus areas. The agreement on the waste streams focus areas was an important point of departure for the collaboration of different stakeholders under the Basel Convention. It is suggested that the future Strategic Framework should also define focus areas of future activities connected to the Convention.

105. Another point which is important to highlight is the development of joint workshops for the coordinated implementation of the Basel, Rotterdam and Stockholm Convention. These workshops have built an important connection between the Strategic Plan and the process of cooperation and coordination for the implementation of the 3 Conventions, which would normally only be initiated long after the beginning of the implementation of the Strategic Plan, in accordance with Decision IX/10 of the ninth meeting of the Conference of the Parties to the Basel Convention and the Conferences of the Parties to the Rotterdam and Stockholm Conventions. A successful Strategic Framework should allow for accommodating into account later decisions that would affect its implementation.

106. Finally, the Strategic Plan was fundamental to position the Basel Convention as a platform between governments and private partners. The success of the Mobile Phone Partnership Initiative (MPPI) is a consequence of the far view of the Strategic Plan in bringing together the industry for the implementation of the Basel Convention. An adequate Strategic Framework should provide a multi stakeholder interface for the implementation of the Basel Convention.

107. As a final comment, it is suggested that one of the main shortcomings regarding the implementation of the present Strategic Plan was the absence of a mechanism of follow up that would control and provide guidance throughout its implementation. Therefore, it is strongly advised that the Parties should put in place a continued monitoring system for the implementation of the new Strategic Framework, preferably through the Conference of the Parties, the Open-Ended Working Group and the Implementation and Compliance Committee.