

Thank you Mr Chairman,

The International POPs Elimination Network is grateful for the opportunity to make this intervention. We would like to make a brief response to the submission in relation to the role of the Basel Convention, the avoidance of duplication and the suggestion of a requirement for close cooperation with that convention and in support of the submissions of the delegation from Nigeria, Norway and others who have raised concerns about some limitations of the Basel Convention. Most importantly this touches upon the crucial definition and establishment of the 'low mercury content' of waste.

The Basel Convention is a very important international regulatory instrument which has specific purposes largely related to transboundary shipments of Hazardous waste.

That Convention, however, has no remit to deal with the elimination or phase-out of any products. Nor does that Convention have any remit to deal with the complex interaction between production and wastes in situations where production and use are being restricted. Nor does the Basel Convention have any relevance in relation to the domestic Handling, collection and transport or mercury wastes

It is of particular concern to those who have followed the convention how slowly it sometimes moves – efforts to bring into force the Basel BAN amendment, an important amendment to the Convention adopted in 1995 at the third meeting of the Conference of the Parties which would, in essence, prohibit transboundary movements of hazardous wastes destined for final disposal and for recovery from OECD to Non-OECD states, has become a repetitive agenda item for the Basel COPs. Yet 15 years after adoption the Amendment is still not in force.

The Elements document refers to the links between the Stockholm and Basel Conventions but Basel has been unable to even establish a Low POPs level in spite of having worked on the issue from before the Stockholm Convention came into force. This is a fundamental requirement of the Stockholm Convention as it defines, in essence, it defines the concentration at which POPs must be eliminated and so we see that the failures of the Basel Convention to deliver the outcome requested have emasculated the Stockholm Convention by relying on provisional levels which are so high that they exclude practically all POPs Waste

Furthermore the parties to the various conventions may well be different – consider protocol issues associated with a country which may be a party to Basel but not the Mercury Convention have, through the Basel Convention a powerful influence on the operational details of a Convention to which they are not a party?

We would request that Delegates may want to avoid repetition of these delays and problems and would suggest that they consider as an alternative simply a requirement to have regard to the Basel Convention.

Share the concerns of Switzerland, Jamaica and BC in relation to the redrafting of the paper on the role of Basel INC2/16