

BASEL, ROTTERDAM AND STOCKHOLM CONVENTIONS

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Subject: Secretary General's report on oceans and the law of the sea

Dear Mr consideration b

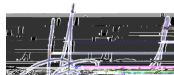
y the General

Assembly, at its seventy-fourth session.

Please find attached the contribution of the Secretariat. For ease of reference, we have tailored our comments to the structure of General Assembly resolution 74/19. In accordance with your email message dated 1 June 2020, a section of the contribution addresses issues related to

I would like to take this opportunity to thank you for involving our organization in this process.

Yours sincerely,



Rolph Payet
Executive Secretary

Mr. Miguel de Serpa Soares
Under-Secretary-General for Legal Affairs
and United Nations Legal Counsel
Email: doalos@un.org

Contribution of the Secretariat of the Basel, Rotterdam and Stockholm Conventions to the report of the Secretary-General on oceans and the law of the sea pursuant to United Nations General Assembly resolution 74/19 of 10 December 2019

1. The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the Stockholm Convention on Persistent Organic Pollutants contribute to protect the marine environment against the adverse effects which may result from hazardous chemicals and wastes.
2. The Basel, Rotterdam and Stockholm conventions are part of the international action being taken to promote the sound management of chemicals throughout their life cycle in ways that lead to the prevention and minimization of significant adverse effects on human health and the environment, including oceans and marine biodiversity. The conventions contribute to making consumption and production patterns and waste management more sustainable and hence reduce direct discharge or land runoff of hazardous pollutants or wastes into the marine and coastal environments.
3. Below are the main developments which have occurred in the framework of the conventions since the last submission of the Secretariat in June 2019 in relation to relevant paragraphs of General Assembly resolution 74/19.

Paragraph 34: Capacity-building for developing States to address the multiple facets of international criminal activities at sea; Paragraph 155: Enhanced international cooperation to combat transnational organized criminal activities at sea

4. Parties to the Basel Convention are required to prevent and combat illegal traffic in hazardous wastes and other wastes, including when such activities occur through transboundary movements at sea. The Basel Convention continues to provide a framework for the development of guidance documents to assist Parties in preventing and combatting illegal traffic,¹ as well as for a partnership to a better implementation and enforcement of national law: the Environmental Network for Optimizing Regulatory Compliance on Illegal Traffic (ENFORCE). ENFORCE brings together a network of Parties to the Basel Convention, Basel Convention regional centres, and relevant entities with a mandate to assist Parties to prevent and combat illegal traffic and thereby contributes to a more efficient delivery of support to Parties.
5. With a view to strengthening existing arrangements to prevent and combat illegal traffic, the work programme of the Basel Convention Committee Administering the Mechanism for Promoting Implementation and Compliance (Implementation and Compliance Committee) for the 2020-2021 biennium provides for a review of existing cooperative arrangement with international organizations or entities with a mandate regarding preventing and combating illegal traffic, including the terms of reference of ENFORCE.
6. Other activities of the 2020-2021 work programme of the Implementation and Compliance Committee pertaining to the prevention and combating of illegal traffic under the Basel Convention include the following:
 - Undertake a scoping exercise on illegal traffic of wastes covered by the Basel Convention with a view to estimating the scope of illegal traffic, identifying the waste categories subject to illegal traffic and affected regions, and analysing how cases of intercepted illegal shipments were resolved;
 - Analyse the reasons for any shortcoming in establishing national coordination mechanism with a view to facilitating the exchange of information among relevant authorities and the limited amount

¹ See the Guide for the implementation of the Basel Convention provisions dealing with illegal traffic (paragraphs 2, 3 and 4 of Article 9), the Guidance Elements for Detection, Prevention and Control of Illegal Traffic in Hazardous Waste, the Instruction Manual on the Prosecution of Illegal Traffic of Hazardous Wastes or Other Wastes, and the Basel Convention Training Manual on Illegal Traffic for Customs and Enforcement Agencies, available at: <http://basel.int/Implementation/LegalMatters/IllegalTraffic/Guidance/tabid/3423/Default.aspx>.

of information on illegal traffic shared with the Secretariat, and identify measures to enhance coordination and increase the flow of information;

- Establish a dialogue with other multilateral environmental agreements with international control regimes to learn from their experience;
- Review the Basel Convention reporting format, with the aim to recommend measures to
- Explore modalities for further dissemination of existing guidance and technical assistance tools, in particular to enforcement entities; and
- Recommend measures to enhance the implementation and compliance with the

Convention.

7. Extending the issue of illegality to the trade of chemicals under the Rotterdam and Stockholm conventions, at their meetings in May 2019, the conferences of the Parties, inter alia, requested the Secretariat to develop a draft form and explanatory document to enable Parties to the Rotterdam and Stockholm conventions to voluntarily provide information about cases of trade occurring in contravention to the conventions, and prepare recommendations on opportunities for strengthened cooperation. The Secretariat was also requested to continue to provide advice and, subject to the availability of resources, illegal traffic and trade. One example of such technical assistance activities was a regional workshop held in Dakar, Senegal from 16 September to 19 September 2019 to strengthen the capacity of Parties of the African region to implement the Basel and Rotterdam Conventions, including a segment dedicated to the provisions relating to illegal traffic and trade.²

Paragraph 35: Capacity-building to improve waste management practices

8. Actions taken under the Basel Convention to build capacities for improved waste management practices include the following:

(a) Environmentally sound management of waste

9. On the matter related to environmentally sound management (ESM) of waste, the Conference of the Parties adopted and encouraged the use of several tools developed by the expert working group on ESM, which now comprise the [ESM Toolkit](#), and decided that the group had successfully completed its mandate. Pilot projects that were selected by the expert working group to serve as practical examples

These documents are, as follows:

- [Technical guidelines on the environmentally sound management of biomedical and healthcare wastes](#) include information and practical aspects related to the medical waste management for authorities seeking to minimise hazards to human health and the environment;
- [Factsheet on Healthcare or Medical Waste](#) provides guidance on all of the steps required for the sound handling, management and disposal of medical waste;
- [Draft guidance document on the environmentally sound management of household waste](#) which sets out existing practical and concrete solutions to promote the ESM of household waste following the principles of the waste hierarchy;
- [ESM toolkit](#) which is a collection of practical tools to assist Parties and other stakeholders in ensuring environmentally sound management of hazardous and other wastes.

The role of the Basel Convention in protecting the marine environment against the adverse effects of hazardous and other wastes, particularly plastic wastes, also contributes to assisting countries in providing effective waste management systems as part of their emergency response to COVID-19.
