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The Pacific environment, sustaining our livelihoods and natural heritage in harmony with our cultures.

Report

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

18th September 2015
Apia, Samoa



Introduction

1. The Eighth Meeting of the Conference of the Parties to the Waigani Convention was held on 18 September, 2015 in Apia, Samoa.
2. The 13 Parties to the Convention are Australia, Cook Islands, Federated States of Micronesia, Fiji, Kiribati, New Zealand, Niue, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu and Vanuatu.
3. Present at the Meeting were representatives from Australia, Cook Islands, Federated States of Micronesia, Kiribati, New Zealand, Samoa, Solomon Islands, Tonga and Tuvalu. A full list of participants can be found in Annex I.

Agenda Item 1: Opening of the Meeting

4. The Meeting commenced with an opening prayer by the Deputy Director General of the Secretariat of the Pacific Regional Environment Programme (SPREP).
5. The Director General of SPREP welcomed all delegates to the Eighth Meeting of the Conference of the Parties to the Waigani Convention and thanked them for their attendance, noting that nine of the 13 Parties were present.
6. The Director General, in his opening address, stressed the importance of the Convention, especially given its legally binding provisions and its role as a regional mirror to the Basel Convention. The Director General observed that not all eligible SPREP Member countries have ratified the Waigani Convention, and the Director General urged these countries to consider doing so. The Director General's opening address is attached as Annex II.
7. The outgoing President, representing Tonga, thanked the Director General for his comments and again welcomed delegates to the Meeting, noting that a quorum had been reached.

Agenda Item 2: Organisation of the Meeting

8. In accordance with Rule 19 of the Rules of Procedure for the Waigani Convention, the Meeting elected a President, Vice President and Rapporteur by a simple majority vote.
9. The Meeting elected New Zealand as President, Federated States of Micronesia as Vice President and Solomon Islands as Rapporteur to oversee the proceedings of the Eighth meeting of the Conference of the Parties. All Officers were elected unopposed.

10. The outgoing President thanked the Parties for having entrusted Tonga with the role of President and thanked the Secretariat for its support, before inviting Mr Malcolm McKee, representing New Zealand, to commence official duties.
11. The incoming President thanked delegates and noted the presence of five observers at the Meeting representing French Polynesia, Republic of the Marshall Islands, Nauru, New Caledonia and the International Council of Environmental Law.
12. The Meeting:
 - **elected** New Zealand as President, Federated States of Micronesia as Vice President and Solomon Islands as Rapporteur to oversee the proceedings of the Eighth meeting of the Conference of the Parties.

Agenda Item 3: Adoption of Agenda

13. The Meeting adopted the Agenda which is attached as Annex III.

Agenda Item 4: Presentation of Reports by the Secretariat of Work Undertaken since COP-6

Agenda Item 4.1: STAC-5 Report

14. Tonga, as Chair of the Fifth Meeting of the Scientific and Technical Advisory Committee (STAC-5), presented the Report of the STAC-5 meeting, which was held on 31 March, 2015 in Apia, Samoa.
15. The Chair reported that key areas of work undertaken by the Secretariat included activities under the Pacific POPs Release Reduction Project, funded through GEF, and the PacWaste project, funded through the European Union. Another significant achievement included the signing of the MoU between BRC and SPREP, which resulted in the engagement at SPREP of two interns from the Basel Convention Regional Centre for Asia and the Pacific, Tsinghua University in China,
16. The Chair reported that the STAC-5 meeting had recognised that progress in the region had been slow for a number of reasons, and suggested that in order to better utilise national resources, improved training of officials was required.
17. The Chair advised that Parties were encouraged to undertake a stocktake of their needs to determine their national priorities and advise the Secretariat of what was needed to improve their performance. This stocktake which was to have been done in April 2015, is yet to be reported to the Secretariat.

18. Tuvalu thanked the Chair of STAC-5 for a comprehensive and thoughtful report and agreed that some Parties face a lack of capacity and resources to implement Convention requirements, but that the report of the STAC-5 had, nonetheless, identified a number of other important issues for consideration.

Agenda Item 4.2: SCPRC-4 Report

19. On behalf of the Chair of the Fourth Meeting of the Steering Committee of the Pacific Regional Centre for Training and Technology Transfer for the joint implementation of the Basel and Waigani Conventions (SCPRC-4), the Chair of STAC-5 presented the Report of the meeting which was held on 1 April, 2015 in Apia, Samoa. The Chair noted that since the meeting did not have a quorum, the Report was tabled as an informal presentation.
20. Tuvalu enquired as to whether the report could now be adopted, since there was a current Meeting quorum, and the Chair confirmed that this was the intention.
21. New Zealand noted that Parties had been asked to submit their national priorities and enquired whether they had been submitted. The Secretariat confirmed that, despite repeated requests, only two countries (Federated States of Micronesia and Papua New Guinea) had submitted their national priorities to date.
22. Federated States of Micronesia commented that the Parties have numerous responsibilities and that in most cases Officials are only dealing with the Convention as a small part of their portfolio. Having a full-time Waigani Convention Officer in each member government would be of great assistance in meeting reporting requirements.
23. Tuvalu supported these remarks and acknowledged that they are behind time in responding to the request for country priorities and asked the Secretariat to remind countries again about their slow response on this issue, and to provide a timeframe for response. The Secretariat advised that they will continue to send reminders to Parties to prompt action on this issue.

Agenda Item 4.3: Project-related Activities

24. The Secretariat presented the Report on project-related activities undertaken by the Secretariat in the twelve months since the Seventh Meeting of the Conference of the Parties.

25. The Meeting:

- **noted** the work undertaken since the Seventh Meeting of the Conference of the Parties;
- **endorsed** and **approved** the STAC-5 Report;
- **considered** and **ratified** the SCPRC-4 Report; and
- **noted** the activity reports.

Agenda Item 5: Effectiveness of STAC and SCPRC

26. The Secretariat provided background information on work previously undertaken to evaluate the effectiveness of STAC and SCPRC.
27. The Secretariat sought the Meeting's guidance to discuss the role of the STAC and SCPRC, provide direction as to how they should perform in the future and direct the Secretariat on any further actions required to improve their effectiveness.
28. New Zealand acknowledged the work of the Secretariat to improve effectiveness of the STAC at drawing on the Basel Open Ended Working Group (OEWG) to complement and guide the work of the Waigani STAC, and sought clarity on how these recommended changes would impact on the working arrangements and responsibilities of the STAC and Convention Parties.
29. The Secretariat clarified that the new arrangements will enable the STAC to be more focused on addressing the specific issues of Pacific island countries, and will enable the Secretariat to better assist countries with their national Convention related priorities and reporting.
30. Tuvalu noted the importance of the STAC in this regard and offered to work more closely with the Secretariat and STAC in the future.
31. Cook Islands noted a need for more refined guidance tools and materials to enable countries to identify their priorities against the guidance documents and criteria of the conventions.
32. Tonga recalled the challenges of Parties in understanding and using the Convention during early years, and recognised that as the only Pacific regional Convention and mechanism dedicated to these specific issues, the region can benefit greatly through using the experience and guidance of the Basel OEWG outcomes in the deliberations of the STAC.

33. Australia suggested that the Secretariat could provide a set of options for countries to use and assess against their own issues in order to respond back with specific work priorities.
34. The Secretariat reminded Parties of the original call to countries to list their national priority needs against the Convention priorities. The Secretariat agreed to renew this approach by way of a Circular to Parties, and committed to including guidance on the types of issues that can be addressed and actions that can potentially be taken.
35. Tonga supported the Secretariat's proposed action.
36. The Meeting:
 - **directed** the Secretariat to develop and send to Parties an invitation for national work priorities, along with guidance materials for Parties to identify their national priorities against priorities and actions under the Convention; and
 - **agreed** to work closely with the Secretariat to improve the role and function of the STAC and SCPRC, by aligning its operations to model that of the OEWG of the Basel Convention and increased participation and by responding to the Secretariat's calls for reports on national priorities.

Agenda Item 6: Focal Points and Competent Authorities

37. The Secretariat updated Members on the current list of Competent Authorities and Focal Points under the Convention, noting the importance of informing the Secretariat of any changes that have been made with regard to personnel and/or contact details of designated or established Focal Points and Competent Authorities.
38. Federated States of Micronesia requested further time to provide new contact details given the recent elections that have taken place.
39. Cook Islands noted that its contact details are out of date and is working with the Secretariat to update them.
40. Australia and Tuvalu confirmed their contact details are up to date.
41. New Zealand noted that minor changes to their contact details were required and that these had been forwarded to the Secretariat already.

42. The Meeting:

- **reviewed** the list and, Parties agreed that if there were changes, they would **inform** the Secretariat in accordance with the agreed mode.

Agenda Item 7: Reporting and Transmission of Information on Illegal Traffic

43. Following a request from the President, the Meeting granted permission for the observer for New Caledonia, Ms. Anne-Claire Goarant, to address delegates.
44. The observer for New Caledonia noted that while New Caledonia and other French territories of the Pacific are not eligible to be Parties to the Waigani Convention, there are activities being undertaken that may be of relevance and interest to the Parties to the Waigani Convention.
45. The observer for New Caledonia cited the work being undertaken through the INTEGRÉ project as an example and committed to sharing the *Review of the legal frameworks governing trans-boundary waste transportation in the Pacific: current limitations and technical solutions* with the Parties to the Waigani Convention.
46. The Secretariat responded that the INTEGRÉ project included a cost-benefit analysis of the relative benefits and costs of membership of the Waigani and Basel Conventions and that this would be completed by the end of 2016 and distributed for information.
47. Australia enquired as to whether the results of the study could be included and considered in the future work programme of the Convention. The Secretariat responded in the affirmative.
48. The President thanked the observer for New Caledonia for her comments.
49. The Secretariat noted that Article 7.3 of the Waigani Convention requires Parties, consistent with their national laws and regulations, to set up information, collection and dissemination mechanisms on hazardous wastes to enable the Secretariat to fulfil its obligations under articles 9.6 and 14.
50. Australia confirmed that, as of the reporting period, there had been no illegal traffic to report and that their annual national report would be submitted to the Secretariat as soon as it is completed.
51. Tonga noted the importance of national reports as a performance indicator and urged Parties to complete them.

52. The Meeting:

- **urged** parties that had not yet done so to transmit to the Secretariat their completed forms on the transmission of information for 2015 and for previous years, as soon as possible and in electronic form, using the reporting forms adopted by the Conference of the Parties at its second meeting.

Agenda Item 8: Financial Statements for 2014

53. The Secretariat tabled the audited Financial Statements for the Waigani Convention for the 2014 financial year. The Financial Statements included:

Item 8.1: Director General's Statement

Item 8.2: Auditor's Report 2014

Item 8.3: Income and Expenditure 2014

Item 8.4: Income and Expenditure 2014 (update)

54. The Meeting:

- **adopted** the relevant parts of the audited Financial Statements for 2014.

Agenda Item 9: Consideration and Adoption of Core Budget for the Biennium 2016-2017

Agenda Item 9.1: Core Budget

55. The Secretariat presented the core budget for 2016-2017 for consideration and adoption by the Meeting, noting that the budget was prepared in accordance with the Financial Rules of the Convention and presented to the STAC-5 meeting where it was discussed, approved and recommended for submission to the Eighth Conference of the Parties.

Agenda Item 9.2: Status of Contributions

56. The Secretariat presented an update on the status of Parties' contributions to the Convention as at 31 July, 2015.

57. New Zealand stated that the resolution of certain administrative issues with the Secretariat had delayed its payment, but that these had now been resolved, and payment would be made in the next few days.

58. Tonga stated that they would also be paying their contribution before the end of September.
59. Tuvalu acknowledged that they had not yet paid their contribution and undertook to try to settle their arrears.
60. Australia enquired where the Secretariat's staff costs were in the budget. The Secretariat responded that these costs were not part of the budget. Other than USD 4,000 for technical advice, the time spent by officers was not factored into the budget.
61. Australia asked how the proposed mission trips to support countries to identify their national priorities under the Convention would impact on the budget. The Secretariat replied that these would be covered by operational costs.
62. Solomon Islands enquired why there was a significant reduction in the SPREP contribution in 2017. The Secretariat responded that SPREP's contribution is driven by the project funds available, and as projects are completed, the contribution is inevitably reduced.
63. The President noted that there was an error in the final row of the 'total' column for WP 9.1 and the Business Plan, and that the amount budgeted for Regional Used Oil Training should be USD 27,500, not USD 27,5000. The Secretariat noted the error and committed to correcting it.
64. The Meeting:
 - **considered** and **approved** the budget and contributions; and
 - **committed** to promptly meet all outstanding contributions.

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

65. The Secretariat presented the 2016-2017 Business Plan for the Pacific Regional Centre for consideration and approval by the Meeting, and Tonga presented a summary of the draft Business Plan.
66. The Secretariat noted that the Business Plan was developed and presented to the STAC-5 and SCPRC-4 and had been reviewed and approved by both meetings.
67. The Secretariat further noted that the activities in the Business Plan have been incorporated into the work of the Waste Management and Pollution Control Division of SPREP which facilitates and implements most of the regional activities contained in the Business Plan.

68. Australia sought clarity on the status of funding for the Business Plan which showed Australia as a donor. The Secretariat clarified that this was due to an attempt to secure funding under the Australian Government Partnerships for Development Programme (GPDF). The Secretariat added that this funding did not eventuate and explained that the reference would be deleted from the Business Plan.
69. Samoa sought clarity on the exploration of alternative international funding opportunities within the Business Plan. The Secretariat advised that discussions would be undertaken with international agencies at the Director's meeting of the BCRC in Geneva, October.
70. The Meeting:
- **considered** and **approved** the draft Business Plan as recommended by the Waigani Convention STAC-5 and the SCPRC-4 meetings.

Agenda Item 11: Other Business

71. No relevant other business was identified.

Agenda Item 12: Date and Venue of the Next Meeting

72. The Secretariat advised that the next Meeting would coincide with the 2017 SPREP Meeting in Apia, Samoa.
73. Tonga queried whether the next Meeting should be held earlier in the year so that any issues raised could be taken to the Meeting of the Basel Convention. The Secretariat clarified that the STAC Meeting is timed to serve this purpose.

Agenda Item 13: Adoption of the Meeting Record

74. The Parties:
- **adopted** the record of the Meeting.

Agenda Item 14: Closing of Meeting

75. The Director General thanked the President and Vice President for their leadership and acknowledged delegates for their participation in the Meeting.

ANNEX 1: List of Participants

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 14. Ms. Amber Carvan
 15. Ms. Anama Solofa
 16. Mr. Ainsof So'o
 17. Mr. Billy Chan Ting
 18. Ms. Alofa Tu'uau
 19. Ms. Lupe Silulu
 20. Ms. Apiseta Eti
 21. Ms. Maraea S. Pogi
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ANNEX II: Opening Remarks by David Sheppard, SPREP Director General

Delegates from the Parties to the Waigani Convention,
Observers,
SPREP staff, ladies and gentlemen.

Good morning and Talofa!

It is a great pleasure to welcome you to this Eighth Conference of the Parties to the Waigani Convention.

The 1995 Waigani Convention is a treaty that bans the exporting of hazardous or radioactive waste to Pacific Islands Forum countries, and prohibits Forum island countries from importing such waste.

Waigani is very important for our region, particularly given its legally binding provisions, and also that it provides a “regional mirror” to the global Basel Convention - in fact SPREP is recognized as the Pacific Regional Centre of the Basel Convention.

I briefly met the Prime Minister of PNG at the Pacific Islands Forum Meeting last week and we noted this important Convention had been adopted 20 years in the same location – the Port Moresby suburb of Waigani - as the Forum Meeting last week.

I'm pleased to note the Prime Minister was both open and positive about suggestions for increasing the future involvement of PNG in the Waigani Convention and I have followed this up by a letter to him, sent last week.

The Waigani Convention has now been ratified by 13 countries and I understand that 10 are present for today's COP - this is a very positive attendance, in fact a record, and illustrates the commitment and support of Parties to this Convention.

Thank you for your positive engagement.

I note there are a number of States eligible to ratify the convention but have not yet done so, including France, the United Kingdom, Marshall Islands, the United States, and Palau.

I urge these countries to consider ratification - the Secretariat stands ready to offer all necessary support for this process.

The focus of the Waigani Convention on hazardous and radioactive waste in the Pacific reflected growing concerns in the 1980s and 1990s in our region about terrestrial and marine pollution, including from nuclear testing - a hot issue for Pacific island countries at that time - and the need for better control on transboundary movement of waste, particularly through shipping.

Today, the issue of hazardous waste management remains a critical issue for our region. The islands we live on are often very small and vulnerable to the impacts of hazardous waste, which particularly impact on water tables and waterways which are the lifeline of our Pacific communities.

Waste and pollution is one of the 4 priority areas within the SPREP Strategic Plan and is an issue of great importance to our members.

I well recall my first SPREP meeting as Director General in November 2009, held here in beautiful Apia, where members gave a clear message that SPREP was not doing enough about waste management and that we needed to increase our priority - and budget allocation - on this area.

I'm pleased to note that we have responded.

In 2010 SPREP allocated 7% of its budget on waste management and in 2014 we allocated 17% of our budget to this important area.

And – I'm also very pleased to note - that this is in the context of a 3 to 4 fold increase in the overall SPREP budget over the same period.

We now give greater emphasis to the management of hazardous waste – the key area of emphasis of the Waigani Convention – in particular through the PacWaste project, supported by the European Union - which is addressing issues associated with asbestos, medical waste, waste oil, chemicals and e-waste in 13 Pacific island countries.

There have been a number of positive developments with the Waigani Convention over the last 5 years.

First, there is now a much closer alignment between the SPREP Programme on Waste and Pollution and the Waigani/Basel Regional programme – this makes good common sense, reduces potential overlap

and duplication, and supports more effective delivery against Waigani and Basel requirements.

Second, there is much closer cooperation between the Waigani Convention and the global Basel Convention. This years' Waigani COP has been bought into sequence with the Basel Convention meeting, thus enabling future Waigani COPs to consider recommendations and implications arising from each Basel COP in a timely way.

I note the integration at the global level of the three Chemical Conventions – Basel, Rotterdam and Stockholm.

This is a very positive initiative given the huge number of Conventions Pacific countries are involved with and we have also sought to apply this model of integration in our region.

Third, we have strengthened relations with the Asia-Pacific Basel Regional Centre, based at Tsinghua University in Beijing. SPREP welcomed two graduate students from Tsinghua earlier this year and our partnership allows Pacific island countries to benefit from capacity building opportunities available through the Asia-Pacific Centre.

I believe it is timely to assess the role and function of the Waigani Convention and would welcome guidance from Parties at today's meeting.

In my view we should continue to strengthen links with the Basel Convention and focus on a limited number of key areas - rather than trying to spread ourselves too thinly.

This makes sense in the context of the utility and relevance of the Waigani Convention - it also makes sense in managing within the budget available.

This more focussed approach is reflected in the agenda for our meeting today.

I note you will discuss the Scientific and Technical Advisory Committee (STAC) and the Steering Committee for the Waigani Convention - we look forward to your advice on how we can make these key organs of the Convention more effective.

Delegates - the submission of the national reports of convention activities is a very important issue.

These reports show how the Convention is being implemented at national levels, assess if and how Parties are complying with it's obligations, and also highlight priorities and necessary future action.

I note reporting to date has been limited and would welcome your views on how we can improve this important aspect of the Convention.

Financial support is also available – last years' Waigani COP set aside financial resources to assist Parties in fulfilling their obligations. However - a year on - only two Parties have requested help from the Secretariat.

The Secretariat is ready and willing to assist you with this and other aspects of the work of the Waigani Convention but we need your active involvement and engagement.

We also seek advice on substantive technical issues that you want the Waigani Convention to focus on in our region over the next two years.

I look forward to guidance from Parties today on these and other aspects to ensure a dynamic and effective Waigani Convention which benefits the environment and people of the Pacific region.

Delegates, ladies and gentlemen, the Waigani Convention offers a very important legally binding mechanism for tackling one of the big issues that our countries face in the Pacific.

Let's all work together to ensure that it is working as effectively as possible to support all Pacific countries in the better management of hazardous waste.

I note most of SPREP's work on hazardous waste is supported by two major SPREP projects, the PacWaste Project and the GEPAS uPOPs project. I would like to acknowledge and thank the European Union and UNEP/GEF for their support on these projects as well as other donors and partners, including AFD, the French Development Agency, and the Governments of Japan, Australia and New Zealand for their support for waste management activities at SPREP and in the region.

I wish you all the best for a successful meeting and look forward to reviewing the outcomes of your deliberations today.

Thank you, Fa'afetai Tele Lava and Soifua

ANNEX III: Agenda

Agenda item 1: Opening of the Meeting

Agenda item 2: Organisation of the Meeting

- Rules of Procedure
- Election of Officers
- Organisation of Work

Agenda item 3: Adoption of the Agenda

Agenda item 4: Presentation of Reports by the Secretariat of work undertaken since COP 7

- 4.1 STAC-5
- 4.2 SCPRC-4
- 4.3 Project related activities

Agenda item 5: Effectiveness of the STAC and the SC-PRC

Agenda item 6: Competent Authorities and Focal Points

- 6.1 Competent Authorities and Focal Points

Agenda item 7: Reporting and Transmission of Information and Illegal Traffic

Agenda item 8: Financial statements for 2014

- 8.1 Director General's statement
- 8.2 Auditor's report 2014
- 8.3 Income & Expenditure 2014
- 8.4 Income & Expenditure 2014 (update)

Agenda item 9: Consideration and adoption of core budget for the biennium 2015-2016

- 9.1 Core Budget
- 9.2 Status of Contributions

Agenda item 10: Consideration and adoption of the Business Plan for the PRC

- 10.1 Consideration and adoption of the Business Plan for the PRC

Agenda item 11: Other business

Agenda item 12: Date and venue of the next Meeting

Agenda item 13: Adoption of the Meeting Record

Agenda item 14: Closure of the Meeting
