BAN/Greenpeace Primary Concerns – TWG18

Plastics Waste Guidelines

These Guidelines are still inadequate and should not be adopted at this stage. The Parties have still not acted on the question of whether PVC is a hazardous waste or not. Until that is determined and the hazardous characteristics of PVC are understood, it is not possible to determine how to manage PVC waste. Currently there are inaccurate and inadequate references to the problems caused by the incineration of PVC. This omission is especially glaring in light of the recent adoption of the Stockholm Convention which has cited incinerators as being a major source of the POPs – dioxins and furans. The Stockholm Convention requires that not only air emissions, but rather total releases of dioxin in all media including pollution control device residues be accounted for, with a view to eliminate such releases where feasible. Further there is no reference to the most recent activities in the European Union, for instance the European Parliament Resolution on PVC. Until the above problems can be addressed, the paper must not be finalised.

Shipbreaking Guidelines and Issues

The issue of clean production and design of ships avoiding hazardous materials is not highlighted. Even if this work is being carried out by IMO that should nevertheless be referenced and the principles summarized. Without a strong linkage to mandatory ship redesign, these guidelines can actually serve as disincentive to proceed with clean production.

There must be an integration of health and occupational issues with environmental issues in the final paper. These issues are inseparable and if the ILO is preparing one while Basel is preparing the other, they must eventually be integrated.

There has been no effort to establish the extent and ability of the Basel Convention to control the transboundary movements of hazardous wastes. The legal aspects of the shipbreaking issue are of paramount importance to control and avoid the export of hazardous ships, particularly to developing countries. It is not acceptable that this issue continues to be postponed by the Secretariat.

POPs Guidelines

The POPs Guidelines are the first real opportunity and responsibility of the Basel Parties to take on board the new obligations and decisions imposed by the Stockholm Convention. It is absolutely vital that the new high standard posed by the Stockholm Convention for the management of POPs wastes be seamlessly integrated. However, as yet, the papers produced by the Secretariat show no reference to the Stockholm Convention obligations – e.g. 1) POPS wastes must be destroyed or irreversibly transformed so as not to continue to have POPs like characteristics; 2) no recycling of POPs; and 3) that whenever substitute technologies or materials exist that do not produce dioxins and furans, these must be substituted. The Basel Convention must uphold the highest levels of environmental protection as envisaged by the Stockholm Treaty without any resort to creating loopholes.
**Annex VII Study / Basel Ban**

The Parties carefully negotiated the terms of reference of this study. It was agreed that the study was not to reopen the debate on the ban, nor to evaluate it prior to its entry into force, but rather it was to explore issues and implications of Annex VII with a view to assisting the Parties in implementing the Ban. However we find that both of the documents prepared by consultants on this issue do not appreciate the sensitivity of the issue and the importance of limiting the discussion strictly to the terms of reference. Further, much of the text debates the ban itself and contains very misleading and biased interpretations of the ban and its rationale, which are not appropriate. This study must not evaluate the ban or debate it and must limit discussion to issues delineated only with a view to facilitating its entry into force.

**Next Decade ESM Declaration Activities**

It is vital to remind the Parties that despite the declaration’s emphasis on waste minimization, none of the activities to date include pilot projects on waste avoidance or waste prevention. This is a serious oversight which must be remedied now, or risk making the declaration largely meaningless as a serious mandate.