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Ad Hoc Working Group of Legal
and Technical Experts with a
Mandate to Prepare a Global
Convention on the Control of
Transboundary Movements of
Hazardous Wastes
First Session
Geneva, 1-5 February 1988

Report of the Working Group

(Geneva, 1 - 5 February 1988)

INTRODUCTION

1. The Governing Council of the United Nations Environment Programme (UNEP), by its decision 14/30 of 17 June 1987, approved the Cairo Guidelines and Principles for the Environmentally Sound Management of Hazardous Wastes (UNEP/GC.14/17, annex II). By the same decision, the Governing Council authorized the Executive Director of UNEP to convene a working group of legal and technical experts with a mandate to prepare a global convention on the control of transboundary movements of hazardous wastes, drawing on the Cairo Guidelines and Principles on Environmentally Sound Management of Hazardous Wastes and the relevant work of national, regional and international bodies. Pursuant to that decision, the Executive Director convened the organizational meeting of the Ad Hoc Working Group of Legal and Technical Experts with a mandate to prepare a global convention on the control of the transboundary movements of hazardous wastes, which met in Budapest from 27 to 29 October 1987. Following the report of the organizational meeting (UNEP/WG.180/3), the First Session of the Ad Hoc Working Group was held in Geneva from 1 - 5 February 1988.

I. ORGANIZATION OF THE SESSION

A. Opening of the Session

2. The First Session of the Working Group was opened on behalf of the Executive Director of UNEP by Mr. Jan Huismans, Director of the International Register of Potentially Toxic Chemicals (IRPTC). Mr. Huismans recalled the mandate of the Working Group and reminded the experts of the tight time schedule under which they were working, as the Governing Council of UNEP had in mind early 1989 for a diplomatic conference that would adopt and sign a Convention.

3. Mrs. I. Rummel-Bulska, Acting Chief, Environmental Law and Machinery Unit, reported on the work of the organizational meeting and drew attention to the fact that the secretariat had used the suggestions made by the experts attending that meeting in preparing the First Revised Draft Convention on the Control of the Transboundary Movements of Hazardous Wastes which was before the Working Group (UNEP/WG.182/2). She noted the progress made in Budapest but emphasized the further work which lay ahead.

4. Mrs. Rummel-Bulska also noted the need for developed countries to provide support both for the organization of the meeting and to enable experts from developing countries to attend subsequent sessions of the Working Group. She expressed the gratitude of UNEP to the Government of Switzerland for the financial assistance it had contributed towards the organization of the meeting in Geneva.

B. Attendance

5. The session was attended by experts nominated by the following Governments: Algeria, Australia, Austria, Belgium, Burundi, Byelorussian Soviet Socialist Republic, Canada, Colombia, Egypt, Finland, France, Federal Republic of Germany, German Democratic Republic, Ghana, Greece, Hungary, India, Italy, Japan, Kenya, Malaysia, Mexico, Netherlands, Norway, Senegal, Spain, Sweden, Switzerland, Thailand, United Kingdom, USA, USSR and Venezuela. Representatives were also present from the following United Nations Specialized Agencies and other organizations: Economic Commission for Europe (ECE); United Nations Industrial Development Organization (UNIDO) and World Health Organization (WHO). Representatives were present from the following intergovernmental and non-governmental organizations: Chemical Manufacturers Association (CMA); Commission of the the European Communities (CEC); European Free Trade Association (EFTA); International Chamber of Commerce (ICC); International Council of Environmental Law (ICEL); Inter Parliamentary Union (IPU); International Road Transport Union (IRU); International Solid Wastes and Public Cleansing Association (ISWA); Organization for Economic Co-operation and Development (OECD).

C. Election of officers

7. The Working Group elected the following officers:

Chairman: Mr. Alain Clerc (Switzerland)
Vice-chairmen: Mr. József Arvai (Hungary)
Mr. Sibrahim Gerdler (Venezuela)
Rapporteur: Mr. Tuomas Aarnio (Finland)

D. Adoption of the agenda

8. The Working Group adopted the following agenda:

1. Opening of the Session.
2. Election of officers.
3. Adoption of the Agenda.
4. Organization of the work of the session.
5. Report on the work of the Organizational Meeting, Budapest, 27-29 October 1987.
6. Consideration of the First Revised Draft Convention on the Control of the Transboundary Movements of Hazardous Wastes prepared by the UNEP secretariat.
7. Other matters.
8. Adoption of the report of the session.
9. Closure of the session.

II. CONSIDERATION OF FIRST REVISED DRAFT CONVENTION
ON THE CONTROL OF THE TRANSBOUNDARY MOVEMENTS
OF HAZARDOUS WASTES PREPARED BY THE
UNEP SECRETARIAT

A. General Discussion

9. Several experts were of the opinion that the First Revised Draft Convention prepared by the UNEP secretariat constituted a very useful starting point for the discussions. They emphasized that the convention should

contain straight-forward notification procedures for importing and transit countries. Particular stress was laid on the situation of transit countries. Attention was drawn to the problem of the definition of hazardous wastes as well as that of disposal. Reference was made to the question of whether wastes destined for recycling should be included in the convention and to the special responsibility of industrialized countries to enhance the capabilities of developing countries in the implementation of the Convention.

B. Examination of the First Revised Draft Convention

10. On the basis of the document UNEP/WG.182/2 [First Revised Draft Convention on the Control of the Transboundary Movements of Hazardous Wastes], the Working Group conducted a first reading of the draft convention. A number of amendments and additions were discussed. The text as revised and proposed by the working Group appears in Annex I to this report.