



Report of the Seventh Meeting of the Scientific and Technical Advisory Committee (STAC 7) of the Convention to Ban the Importation into Forum Island Countries of Hazardous and Radioactive Wastes and to Control the Transboundary Movement and Management of Hazardous Wastes within the South Pacific Region (Waigani Convention).

Introduction:

1. The Seventh Meeting of the Scientific and Technical Advisory Committee (STAC 7) of the Convention to Ban the Importation into Forum Island Countries of Hazardous and Radioactive Wastes and to Control the Transboundary Movement and Management of Hazardous Wastes within the South Pacific Region (Waigani Convention) was held on 19-20 February, 2019 in Nadi, Fiji;
2. Present at the Meeting were representatives from Australia, Cook Islands, Fiji, Kiribati, Niue, Papua New Guinea, Samoa, Tonga, Tuvalu and Vanuatu. Apologies were received from the Federated States of Micronesia and Solomon Islands. A full list of participants follows;

Agenda item 1: Opening of the Meeting;

3. The Meeting commenced at 9.15am with the out-going Chair to the STAC meeting (Papua New Guinea) calling the meeting to order and then inviting the representative from Vanuatu to bless the meeting with a word of prayer;
4. The out-going chair then invited the SPREP Director of the Waste Management and Pollution Control Programme, to provide opening remarks about the meeting;
5. In her remarks, the Director encouraged the parties to take time to have robust discussions about the issues that are of importance to them and provide the needed guidance and direction on how the Secretariat can be of assistance to them. She reminded the parties that the Convention was their convention and they needed to be the drivers of its implementation in their respective countries;
6. The Director also noted the large amount of work taking place in the area of hazardous waste in the Pacific islands region and further encouraged everyone to be organised in their work. A full copy of the Opening Remarks can be found in Attachment 2;

Agenda item 2: Organisation of the Meeting;

7. The outgoing Chairperson then welcomed delegates to the Meeting, noting that a quorum had been reached and then invited the Secretariat to explain the meeting's procedure Rules of Procedure, Organisation of Work and the Election of Officers;
8. The Secretariat explained that in accordance with Rule 22.3 of the Rules of Procedures the Meeting elected a Chairperson, Vice Chairperson and Rapporteur by a simple majority vote;
9. Niue, seconded by Samoa, nominated Fiji to be the Chairperson but before the election could be held, Tonga sought clarification on whether the Chairperson would be elected based on a rotational basis as agreed to in a previous meeting. After some discussion about the basis of the decision, the meeting decided to maintain Fiji as the chair but the next chair would be appointed on a rotational basis in alphabetical order. On current appointments, it would be Kiribati;
10. Niue was elected Vice Chairperson and Vanuatu was elected as Rapporteur to oversee the proceedings of the STAC 7;
11. The outgoing Chairperson thanked the Parties for having entrusted Papua New Guinea with the role of Chairperson before inviting Fiji to commence official duties;
12. The Meeting:
 - ***elected*** Fiji as Chairperson, Niue as Vice Chairperson and Vanuatu as Rapporteur to oversee the proceedings of the STAC 7 of the Waigani Convention;

Agenda item 3: Adoption of the Agenda;

13. The incoming Chairperson enquired as to whether any Parties had additional issues to add to the provisional Agenda;
14. There being no additions to the proposed agenda, The Meeting:
 - ***adopted*** the Agenda which is attached as Annex 3;

Agenda item 4: Presentation by Australia

15. Australia made a presentation on the work of the Basel Convention *Expert Working Group on the Review of Annexes* (EWGRA), which has prepared proposals for consideration at the upcoming 14th COP meeting in April-May 2019;
16. Australia noted that the EWGRA was established by the 13th COP meeting through its decision BC-13/2 in July 2017. The EWGRA would consist of up to 10 members from each of the five regional groups. Australia added that the Asia-Pacific region only had six members on the working group currently and encouraged parties from the Pacific region to consider becoming members of the EWGRA;

17. Australia advised that the EWGRA was tasked to review Annexes I, III, IV and related aspects of Annex IX, with the focus on categories of wastes to be controlled (Annex I), hazardous characteristics (Annex III), final disposal and recovery operations (Annex IV) and B 1110 (E-waste);
18. Australia noted that two EWGRA face-to-face meetings have been held to date, with the first meeting held on 20-23 March in Geneva and the second meeting held on 10-13 December in Buenos Aires. The initial meeting focused on preparing the work plan and associated timetable for EWGRA. The meeting also led to some shared understanding of implementation issues, particularly in identifying specific Annex issues, and resulted in some limited agreement on a way forward;
19. The second meeting was the first meeting at which discuss substantive issues related to the Basel Annexes were discussed and led to a large number of amendment proposals being developed, many of which were mutually exclusive. The meeting also created a collaborative environment with a technical focus rather than a political one;
20. Australia then outlined the key outcomes of the second meeting, including the way forward for work that needed to be undertaken;
21. Australia noted that the amendments to the Annexes would define the materials to be controlled under the Basel Convention and, by extension, the Waigani Convention, and will therefore materially affect the implementation of the Waigani Convention by member states;
22. The presentation attracted a great deal of interest and discussions, especially on how the issues that were being discussed may affect the region. Issues that raised concern among some members at the second EWGRA meeting included the inherent challenges in the use of GHS to define the hazardous properties of wastes, threshold levels of constituents that make waste hazardous, the inclusion of ESM and non-ESM disposal operations as well as legal and illegal disposal operations in Annex IV
23. Samoa sought clarification on how global reuse and recycling technology was being discussed as part of this group work. Australia, in response, advised that reuse is not defined as a disposal operation under the Basel Convention. Australia further advised that it had recently developed its National Waste Policy, which includes consideration of the circular economy approach to managing wastes, and that the Policy would be circulated to interested parties in the region
24. The meeting:
 - *noted* the presentation by Australia;

Agenda item 5: Presentation of Reports by the Secretariat of work undertaken since STAC-6;

25. The Secretariat presented its report on work undertaken in the implementation of the Waigani Convention since COP 8 in September 2017 and invited comments and feedback from the Meeting;
26. In its presentation, the Secretariat highlighted the progress that had been made in its work in progressing the Waigani Convention related work at both the regional and national level, noting that it was the first time that the Secretariat's work was being presented in such a format;
27. Samoa commended the Secretariat in its efforts to assisting Pacific islands countries and stressed that countries are becoming parties to many conventions but implementation was limited due to logistics and resourcing constraints. He added that the strategic and synergistic approach taken in planning the work of the Waigani Convention was a good approach and could assist the countries in their planning efforts as well;
28. Australia advised that they were prepared to circulate their National Waste Policy to assist with regional initiatives;
29. Samoa then advised that their national integrated waste management strategy has been endorsed by cabinet and this has helped them in identifying key areas to address waste issues;
30. The Secretariat encouraged the parties to take all the available information at regional level and adapt it to suit our national strategies.
31. Tonga sought clarification on the status of the asbestos-free Pacific decision that was taken at the SPREP meeting in 2017. The Secretariat, in response, advised that very little had happened but this was to be addressed, including under the PacWaste Plus project;
32. Tonga further queried why the Secretariat was not proactive in advising the parties in all the work being done by the Secretariat on a regular basis as was the case for the BRS Secretariat. On the issue of national reports, she enquired why the Secretariat was not as active in providing assistance through training for such matters, adding that for the BRS conventions, these were clearly displayed on their website. She encouraged that the Waigani Convention should be the same and should clearly show how to use the documents to report. She called on the Chairperson to work with the Secretariat to help the STAC meeting to be more proactive. She added that these activities would help to re-energise the STAC committee and the outcomes could feed into the upcoming SPREP meeting;
33. Samoa requested the meeting on the urgency and need for clear guidelines to assist with national reporting that will inform status in the implementation of their obligations to the Waigani Convention;

34. The Secretariat, in response, advised that since 2014, following a decision taken in Majuro on the availability of resources to support parties on these types of assistance, only two countries had requested assistance and they had been assisted. It added that all the reporting materials were available on the website and if the parties needed training, they were encouraged to ask. This assistance (including training) needed to be initiated by the parties as Tuvalu and Solomon islands had done.
35. On the used oil project in PNG, the delegate enquired if there had been adequate support provided to the project staff to meet the agreed milestones during the project implementation and added whether there would be any opportunity for SPREP to work with PNG on areas of priority to achieve the overall outputs of this project in a future project;
36. The Secretariat, in response to the query on the used oil project, advised that there had always been support for PNG during the project and based on the reports received, PNG had advised that all was in order. However, in terms of the project deliverable, the implementation of these activities had lagged. A decision was then made to cancel the project and the unused funds returned to SPREP for redistribution;
37. PNG informed the meeting that countries may be struggling at the national level in data management and requested if opportunities would be available under GEF-7 ISLANDS project to identify ways to improve database storage of data. In this way, reporting could be made easier in terms of information and data access. She then urged everyone to work alongside their colleagues with the INFORM project to improve this need area;
38. The Secretariat, in response, advised that the GEF ISLANDS project would be another opportunity where countries could identify their priority issues areas to receive assistance from the executing agency;
39. Australia informed the meeting that the recent classification of unsorted plastics as hazardous waste in China has caused some transboundary movement issues. Australia further noted that the definition of hazardous waste differs between countries and that a hazardous waste under one country's legislation may not be a hazardous waste in another, and that this raises some challenges in administering transboundary movements, and also creates business uncertainty for exporters and importers. One key example of a material that is considered to be a waste by some countries, but not others, is used electrical and electronic equipment;
40. Tonga suggested that the Basel and Waigani Convention should revert back to the original purpose of why a waste stream was considered to be hazardous were being exported to other countries. It should be up to the importing countries to identify what they consider as hazardous waste based on their national definitions;

41. Australia, in response, advised that the Basel Convention sets the baseline but it is up to individual countries to determine whether they consider a specific waste to be hazardous, or not, in their country;
42. Samoa, in summarising, acknowledged SPREP's assistance to the countries and further reconfirmed the need for the timely implementation of the evaluation of the convention that shall inform on the gaps and challenges and further shape and design the way forward;
43. The Secretariat informed the meeting that the format used was a much more structured one to report against and this would help identify what could be done to improve areas of assistance in the implementation of the Waigani Convention;
44. Australia added that the format is a useful way to track progress identify future work to be done by parties;
45. The Meeting:
 - **endorsed** the report and **recommended** to the COP-10 of the Convention for formal adoption;

Agenda item 6: Competent Authorities and Focal Points;

46. The Secretariat presented to the meeting the current list of Competent Authorities and Focal Points and requested the delegates review and update the details of their respective Focal Points and Competent Authorities;
47. The Meeting:
 - **reviewed** the list and agreed for all parties to submit their changes or amendments to the Secretariat by the 16th March 2019;

Agenda item 7: Evaluation of the Waigani Convention;

48. The Secretariat presented an update to the STAC-7 meeting on the status of the Evaluation of the Waigani Convention activity that it is undertaking to measure the effectiveness of the Convention at both the national and regional levels. In its presentation the Secretariat provided the background on the need for the evaluation;
49. The Secretariat provided an update on what had happened at the COP meeting and how it had attempted to make the evaluation happen. This included the development of a questionnaire that would assist the consultant in the gathering of information to inform the evaluation;
50. Australia enquired whether the questionnaire would be presented to parties by the consultant. Australia also noted that the evaluation should consider whether the Waigani Convention has delivered, or will deliver, environmental benefits to Waigani parties and the Pacific region that exceed those delivered by the Basel Convention

alone. The Secretariat noted that this was, in effect, asking whether the Waigani Convention would be redundant if all Forum Island countries were to become parties to the Basel Convention;

51. The Secretariat, in response, advised that the evaluation process would answer these questions and provide a proper platform for future discussions to be held. The Secretariat further advised that the Basel Convention did not provide resources in the region to assist parties to meet their obligations and the work that the Secretariat was undertaking was funded by resources secured under the Waigani Convention, and reviewing both Conventions at the same time;
52. The Secretariat, in response to the key question of whether the Waigani Convention would become redundant if all countries became party to the Basel Convention, noted that from experience the Basel Convention was not active in resourcing activities in the region and in this regards the Waigani Convention was a resource for the Pacific region;
53. Samoa reminded the meeting on the need to look at the terms of reference for the consultants to ensure the current status as well as the way forward are clearly reported on. Samoa reflected on issues for review, such as institutional, legislation and governance issues and looking at the environmental sound management findings as highlighting important issues that need addressing under this evaluation and shall be reflected in the Terms of Reference, adding that the proposed questionnaire would provide detailed information to this strategic analysis. This approach would make way for improvements and a relevant structure which would then lead to a proper and comprehensive evaluation of the Waigani Convention;
54. The Secretariat proposed that the draft evaluation report would be completed for tabling at the COP meeting in September 2019. To facilitate this, Samoa advised that this was an important issue requiring the final TOR for the evaluation to be prepared immediately and supported the undertaking of the evaluation before the COP meeting this year;
55. PNG commented that the Basel Convention does not deal with radioactive waste while the Waigani Convention does so if it were to become redundant when all countries in the Pacific become parties to the former, countries in the region might not have the necessary mechanism to move obsolete radioactive equipment for disposal There are currently radioactive equipment available in PNG, some may have reached their end-of-life which will need to be addressed. PNG added that there was a need to work closely with IAEA at the country level and needed guidance on how qualified people could be identified to carry out the assessments for safe transboundary movement and disposal;
56. The Chair enquired whether only one consultant would be working with all the countries in this evaluation exercise and encouraged countries to provide information to consultants. The Chair proposed that a letter be disseminated to all member

countries advising them about this exercise, adding that the completed evaluation questionnaire would need to be authorized by the relevant focal points;

57. The Secretariat advised that the consultations would be for a period of one month with comments to be provided to the secretariat by the 19th March 2019 ready for the COP 10 meeting to enable the TOR to be finalized by the end of March;
58. Samoa requested the Secretariat to circulate the draft questionnaire to countries to allow for two weeks of comments and the comments to be sent back to the Secretariat by the 19th March. The draft of the TOR would then be provided to the countries by the Secretariat by 29th March;

Agenda item 8: Consideration and adoption of the work program for the Waigani Convention for 2020-2021;

59. The Secretariat presented the draft work programme to the Meeting, noting that matters highlighted during Agenda Item 5 would be reflected in a revised work programme;
60. Samoa stressed the importance of ensuring the linkage of the evaluation exercise to the 2020/2021 Work Programme, noting that the evaluation would also pick up on which strategic approaches would need to be included, the training needs and how it shall be addressed, regionally or nationally;
61. Tonga acknowledged that financial resources were limited in the implementation of the work plan activities and suggested that the Secretariat circulate a list of what is owed by member countries to the Convention. The delegate of Tonga noted that the financial information was only tabled at the COP;
62. The Secretariat noted the issues raised and advised that once the evaluation report was received, the draft work plan would then be revised for the COP meeting. On the issue of outstanding dues, the Secretariat noted that the finance division would be advised on this and invoices would be sent out to the countries;
63. The meeting:
 - *endorsed* the work plan in principle and *encouraged* the Secretariat to revised it once the outcomes of the evaluation are made known;

Agenda item 9: Other business;

64. PNG enquired about the possibility of looking into a circular economy when dealing with impact projects at the national level and how these could be factored into the sound management of chemicals and hazardous wastes;

65. Australia advised that it would provide its recent National Waste Policy to parties to assist with developing their own policies;
66. The Secretariat informed the meeting of the PRIF study in the South Pacific which was also looking at establishing a recycling hub in PNG to service the Solomon Islands, Nauru and other countries in that area;

Samoa reminded the meeting that one of the objectives of the convention was promoting environmentally sound management of hazardous waste and encouraged other parties to look at how hazardous waste links to other relevant conventions and programs, promoting synergies for resourcing, integrated capacity building, technology transfer, data and information management etc. PNG noted that hazardous waste links to health, biodiversity and climate change are receiving national priority status and linking up with other stakeholders such as those in the private sector would help in realizing these holistic approaches given the role of the private sector in the economy and the welfare of the country;

67. Kiribati requested assistance in development of an Integrated Waste Management Strategy, important for Kiribati because of ongoing and upcoming national/regional/global projects related to solid and hazardous waste management. Kiribati informed the meeting that they have already started the process of consultation at the national level mainly to identify national priorities on waste and chemical management;
68. On the process of getting the Secretariat involved for assistance, the Chair advised that a formal request letter be sent to SPREP by the Kiribati Government. The Chair further advised that Fiji was in the process of submitting their strategy to cabinet and was confident that formal endorsement will be given to their Integrated National Waste Management Strategy. Once endorsed, Fiji would share this with Kiribati;
69. Tuvalu enquired about the Moana Taka partnership and how it would help in the transboundary movement of waste, including hazardous waste.
70. The Secretariat advised that it was an agreement between SPREP and SWIRE shipping and it focused on the shipment of wastes that had none or very low commercial value;
71. On the issue of high permit fees when shipping waste material to Australia, parties were advised by Australia that the fees can be reduced, if it could be demonstrated that there would be an environmental benefit, on a case by case basis;
72. PNG asked that issue of awareness programs and capacity building should have greater emphasis in future programs including the GEF 7 Island Program to raise awareness at all levels of society on hazardous chemicals and wastes to avoid or minimize exposure;

73. Samoa advised the meeting that the issue has regional significance and it would be appreciated if discussions and solutions are promoted and shared to all parties to all parties for their information;
74. Vanuatu informed the meeting that the issues covered in this meeting were relatively new to them and that their staff capacity was limited due to staff members doing multiple tasks which makes it difficult to fully learn the work. She added that there was a high turnover of staff with no proper handing over or transition making the working environment difficult to cope with. She further advised that the government was currently looking at restructuring their department and was keen to learn from other countries in the region to help improve their situation, especially for newly employed staff.

Agenda item 10: Date and venue of the next Meeting;

75. Three possible venues were suggested for the next meeting and included, SPREP Headquarters, Niue and Vanuatu;
76. Samoa nominated SPREP Headquarters with the reason being that the meeting can be serviced by other departments at SPREP who were involved in similar conventions. In this way, SPREP staff could enrich the STAC meeting by making presentations on relevant components of the agenda;
77. Tonga supported the suggestion by Samoa and added that the delegates visit to the SPREP Headquarters would also allow other issues to be dealt with and not just matters pertaining to the STAC and waste management;
78. Vanuatu then nominated Port Vila as a possible venue or the next meeting suggesting that the agenda could also include a site visit of relevance to the meeting;
79. Papua New Guinea in supporting Vanuatu's nomination added that it may be necessary to go into countries who weren't doing so well and in that way get a better insight as to what is happening on the ground;
80. Australia and Fiji noted that site excursions may be helpful for next STAC meetings as this provided the opportunity for other parties as well as the Secretariat to have an appreciation of the challenges and issues on the ground;
81. The Secretariat suggested that as part of improving the management of issues, regular communication through via skype calls could be arranged every 6 months and this could serve as the monitoring and evaluation of planned work to be undertaken by the Secretariat and the parties;
82. Niue also suggested having the meeting in Niue but would get the clearance from cabinet;

83. The Secretariat also added that the meeting could also be used to hold a pre-COP preparatory meeting for the Pacific parties to the BRS Conventions, such as what was happening in this meeting;

84. The meeting:

- **agreed** the next meeting would take place in Port Vila at a date to be determined in consultation with the Vanuatu Government and in accordance to the scheduling of the Basel Convention COP in 2021

Agenda item 11: Adoption of the Meeting Record;

85. The Rapporteur took the meeting through the meeting report and invited parties to makes comments to make sure that the report reflected the correct version of their respective interventions;

86. A number of parties advised that they would make amendments to their interventions and send the correct wording to the Secretariat;

87. The Meeting:

- **adopted** the draft report for the STAC-7 meeting in principle subject to the corrected wording from the parties; and
- **recommended** the report be forwarded to Waigani Convention COP-10 for formal endorsement;

Agenda item 12: Closure of the Meeting;

88. The Chair in closing thanked everyone for their input into the meeting acknowledging the hard work that was put in by the Secretariat in making the meeting happen and advised that she had learned quite a lot of things in the meeting. She then invited the SPREP Director for Waste Management and Pollution Control program to make some closing remarks;

89. The SPREP Director for Waste Management and Pollution Control program in her closing remarks thanked all the parties for their hard work and excellent input into the discussions and provided some highlights of the meeting. She then encouraged all the parties be ready with their priorities and comments that came of the STAC-7 meeting for presenting to the subsequent meetings that were happening the following week, especially in the ISLANDS project meeting.

90. The meeting was then closed at 3.55pm on Wednesday 20th February 2019.