

## **Report of the Ninth Meeting of the Scientific and Technical Advisory Committee (STAC 9) 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**

The Ninth Meeting of the Scientific and Technical Advisory Committee (STAC9) 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 virtually on 9 February 2023.

Present at the Meeting were representatives from Australia, Cook Islands, Federated States of Micronesia, Fiji, New Zealand, Niue, Papua New Guinea, Samoa, Solomon Islands, and Tuvalu.

### **Agenda Item: Opening of the Meeting**

The meeting commenced at 12.10pm, Samoa time, with Fiji as the out-going Chair calling the meeting to order and extending appreciation to the STAC and the Secretariat. The Chair invited an opening prayer.

Apologies were provided on behalf of the Director General of the Secretariat of the Pacific Regional Environment Programme (SPREP). SPREP is the Secretariat of the Waigani Convention.

Opening remarks were made by the Director of SPREP's Waste Management and Pollution Control Programme who welcomed everyone to the STAC9.

The outgoing Chairperson welcomed delegates to the meeting and thanked all for their help with work undertaken by the STAC over the past two years.

At the request of the outgoing Chairperson, the Secretariat explained the Rules of Procedure and confirmed that a quorum had been reached for the meeting.

### **Agenda Item 2.1: Rules of procedures and election of officers**

The Secretariat outlined the procedures for the conduct of the Meeting and the Terms of Reference for the STAC.

Samoa nominated Cook Islands to be the Chair of the STAC9, this was seconded by Federated States of Micronesia. The Cook Islands accepted the role of the Chair noting the temporary unavailability of the Chair for which the Secretariat explained the Vice Chair can act for this meeting.

Samoa nominated Niue to be the Vice Chair of the STAC9 for which Niue proposed regional distribution of this role thus nominating Federated States of Micronesia as the Vice Chair. Samoa seconded this nomination of Federated States of Micronesia.

Federated States of Micronesia nominated Solomon Islands as Vice Chair for which Solomon Islands noted this needed to be confirmed by the focal point.



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Papua New Guinea nominated Solomon Islands as the Rapporteur of STAC9. Solomon Islands declined the nomination noting the focal point was not present. Samoa agreed to be the Rapporteur of the STAC9.

The outgoing Chair commended the Secretariat for their hard work and support to the Chair, Vice Chair, Rapporteur and STAC. The outgoing Chair thanked everyone, New Zealand as Vice Chair and Australia as Rapporteur for STAC8 and welcomed the leadership of the incoming Chair.

Federated States of Micronesia as the Vice Chair assumed the role of Interim-Chair for the STAC9 as the Focal Point for the Cook Islands was unavailable at this time.

The Interim-Chair thanked the outgoing Chair and support team for their role in leading the STAC8.

The Meeting:

- **Elected** Cook Islands as the *Chairperson*, Federated States of Micronesia as the *Vice Chairperson* and Samoa as the *Rapporteur* for the Meeting.

## Agenda Item 2.2: Adoption of the Agenda

The Interim Chair confirmed that no responses were received by the Secretariat from the Members for any agenda items to be included and discussed in this meeting.

The Interim Chair invited members to provide any comments for discussion.

The Secretariat explained that the meeting papers were prepared in consultation with the outgoing Chair and Vice-Chair, and all agreed the Agenda Items are of importance for discussion.

There were no comments or feedback from the members regarding the agenda proposed.

New Zealand proposed the motion to adopt the Agenda, Papua New Guinea seconded the motion.

The Meeting:

- **commented on** and **discussed** the provisional agenda as presented; and
- **adopted** the agenda for the Meeting.

## Agenda Item 3: Proposed amendments to the Waigani Convention

Members were informed on the proposed amendments to the Waigani Convention as undertaken by the Working Group established by the Eleventh Meeting of the Conference of Parties to Waigani Convention (COP 11) and presented in their final report.

Australia expressed appreciation to the STAC9 colleagues and the Working Group that developed the documents and noted a presentation to be made from the working group followed by a question-and-answer session.

Australia, New Zealand, Papua New Guinea and Samoa made up the Working Group and presented four options for the adoption of the 2019 Basel Convention Plastic Waste Amendments to the Waigani Convention for discussion and two options for the automatic adoption mechanism of the Waigani Convention to adopt current and future amendments to the Basel Convention for consideration by STAC9. The Working Group also presented recommended options for the consideration of Waigani COP12.



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The Interim-Chair sought input from the Working Group on one of the options in particular the listing of the seven polymers and if those are the same as the seven designated polymer groups that are listed universally. Australia clarified when considering all types of plastics including those that were approved in the Waigani Convention they sought options that were easier for compliance and recycling.

The Interim-Chair further noted that when referring to plastic types, the acceptance of these is dependent upon the recycling capabilities of different countries.

The Secretariat confirmed it is satisfied with the work of the Working Group and will continue providing support noting these are ready for tabling at the next Waigani COP.

The Interim-Chair raised its support for the recommendations from the Working Group.

New Zealand as a Party noted its preference for Option 2B: Inclusion of Annex VIII and IX and the Option A for the automatic adoption mechanism. This was supported by Australia as a Party.

Papua New Guinea as a Party proposed to Australia, New Zealand and the Secretariat of the opportunities to learn from others as to what they did to address this, should the Basel Convention wish to support a technical review on other countries and regions and what they did.

The Secretariat noted that there are other countries with regional instruments that are undertaking activities to suit newly introduced plastic amendments and noted the technical review of amendments made by others in this same situation, would be helpful.

New Zealand as a Working Group member further clarified the Working Group also drew upon existing regional agreements under the Basel Convention.

Australia has amended legislation to give effect to the plastic waste amendments noting domestic legislation manages other plastic waste exempt from the Basel Convention under its Recycling and Waste Reduction Act 2020 (RAWR Act).

New Zealand has implemented the 2019 Basel Convention Plastic Wastes Amendments. These came into force on 1 January 2021.

The Interim-Chair noted it looks forward to learning lessons across the STAC group and stressed the timeline presented by the Secretariat as end of March for all comments to be received.

The Interim-Chair also expressed gratitude to the Working Group for their work.

The Meeting:

- **commented on** and **discussed** the proposed amendments as prepared by the Working Group and presented in their final report.
- **Provided guidance** and **agreed** upon Option 2B as the preferred option for incorporating the 2019 Basel Convention Plastic Waste amendments into the Waigani Convention for consideration at the Waigani COP12.
- **Provided guidance** and **agreed** upon Option A as the preferred option for introducing a mechanism that will allow future amendments to be incorporated into the Waigani Convention for consideration at the Waigani COP12.

## Agenda Item 4: Implementation of the recommendations of the 2021 review of the Waigani Convention

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The views of the STAC on the intersessional work required to implement the recommendations of the 2021 review of the Waigani Convention were sought.

The Secretariat explained the Action Plan to deliver the 14 recommendations of the 2021 review as shared in the Working Papers for the Meeting.

The Secretariat clarified that it is limited to funding available with the main source being the subscription fees for which this funding aims to support implementation of the Waigani Convention work programme. This was in response to a question from Samoa on available funding for recommendations that will have cost implications. The Secretariat further noted projects working in parallel to this work may be able to assist with funding the recommendations that require financial support while helping to meet other national priorities.

Samoa also expressed gratitude towards the explanation from the Secretariat.

Samoa sought further clarification on recommendation three noting its need for capacity building training on Reporting and requested when this activity can be done so they can include it in their national management plan activities and if this activity will be delivered as a regional or national training.

The Interim-Chair noted the Basel Convention webinar held in 2022 on Reporting outlining how this has set the scene for ongoing reporting. The Secretariat noted national and web-based training as well as virtual and national training that took place in 2022. The Secretariat further noted the support needed for more face-to-face training on Reporting under the Basel Convention as it transitions to electronic reporting.

The Secretariat outlined it would like to streamline the reports to allow for funding support, and that the recommendations of the 2021 review became part of the Secretariat's work programme to allow for this work to begin. This was in response to queries from New Zealand if it could be clear where funding is available and needed to implement recommendations in the work programme, and if the content within the work programme is separate or a sub-item to that for Agenda Item 5.

The Secretariat noted the intervention from Papua New Guinea that 14 recommendations in the work plan should be prioritised for efficacy, further noting that the work under legislation and regulatory framework is a priority as raised by Papua New Guinea.

Although SPREP is one of the fourteen regional centres of the Basel Convention, it does not receive financial support from the BRS Secretariat. It does however receive funding through projects developed in collaboration with the BRS or other programmes under the United Nations Environment Programme (UNEP) and these funds are restricted to funding project activities. This was in response to a proposal from Australia for the Secretariat to leverage funding for implementing the recommendations with funding support from the Basel Convention.

The Interim-Chair then welcomed the Cook Islands, Chair of the STAC9 to resume Chairing of the STAC9. The Chair apologised for late attendance and thanked the Interim-Chair for her work further recommending the Interim-Chair remains in this role until the meeting is complete.

The Meeting:

- **commented on and discussed** the implementation of the recommendations of the 2021 review of the Waigani Convention.
- **commented** on the draft action plan to deliver the recommendations.

#### **Agenda Item 5: Work Programme for 2024-2025**

The STAC9 considered and exchanged views on the Work Programme and how the Secretariat can improve its delivery of services with limited resources.

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An overview of the work programme was shared with the STAC9 as well as the support provided by Projects that align to the work of the Waigani Convention.

The Interim-Chair sought clarification as to if funding opportunities and implementation for certain countries under projects can be added on to this work programme for which the Secretariat clarified this work is embedded under the Waste Management and Pollution Control Programme at the Secretariat of the Pacific Regional Environment Programme. This allows for the two to merge outcomes under the Waigani Convention, however, also does not permit for additional countries and work to be imposed upon projects which have already been set based upon national priorities.

Samoa requested support or training to help improve participants making interventions in Conferences of the Parties Meeting for which the Secretariat noted this request confirming plans for the training and support to be underway. New Zealand indicated the recommendation for training on how to do interventions at Conferences of Parties be moved to section 4BII in the Work Programme.

The Secretariat noted the request from Samoa to highlight which waste streams already have technical guidelines and which are yet to be developed, clarifying a review will be under way to develop this.

New Zealand expressed appreciation for the Secretariat in the development of the work programme and sought an understanding as to which are the top priority activities with funding already provided for which the Secretariat noted it will review this and highlight as such.

The Cook Islands proposed the following recommendation be endorsed to allow for progress.

The Meeting:

- **Invited** parties and others to submit to the Secretariat comments on the draft work programme by 31 March 2023, and requests the Secretariat to make the comments available on the website of the Waigani Convention.

#### **Agenda Item 6: Date and venue of next meeting**

The Cook Islands stressed its reliance on the Secretariat as to when is the most suitable time and venue for the next meeting further noting its preference for a face-to-face event. Australia supported the Cook Islands request for advice highlighting a busy period ahead for multilateral environment agreements, and the STAC work programme.

The Secretariat outlined the usual practice is for the STAC to be held in the first quarter of the year to allow for sufficient time to address all issues and concerns before the Waigani Convention COP is held. It further noted there may be many ad hoc meetings held over the next two years to help progress the work programme.

Face-to-face meetings are also preferred by the Secretariat to help drive fuller discussions however these will depend upon funding.

The Secretariat confirmed Australia's query as to if the STAC10 meeting will take place in 2025 highlighting it can take place when the STAC prefers however traditionally it has been held every two years.

Australia proposed a bracket around the second week of February in 2025 to confirm a date closer to the time, noting the timing of the Conference of the Parties.

New Zealand requested a hybrid meeting take place if it is a one-day event for which the Interim-Chair noted past STAC meetings were held during the week of other meetings scheduled, so these

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were held back-to-back with other meetings. The Interim-Chair suggested the STAC should meet across two to three days to broaden the agenda to include other issues.

The Secretariat noted that a virtual meeting allows for shorter agenda and discussions, however a face-to-face meeting would provide the opportunity for a full agenda to be covered.

The Secretariat expressed preference for the STAC to be held in the first quarter to allow time to undertake work before the Waigani COP and stressed should there be no offers to host the STAC it would default to Samoa as the headquarters of the Secretariat.

The Cook Islands proposed to host the STAC10 in the Cook Islands, this was seconded by Samoa and Solomon Islands.

The Meeting:

- ***Proposed the second week of February 2025 as an approximate date with the actual date yet to be confirmed, with the venue to be in the Cook Islands***, noting the resources needed to host such a meeting and the intersessional work required to implement recommendations of the 2021 review of the Waigani Convention.

## **Agenda Item 7: Adoption of the report**

The Meeting:

- ***considered*** and ***adopted*** the draft report of the STAC9 meeting; and
- ***recommended*** to the WC COP-12 to formally endorse the report as a true record of the STAC9 meeting.

## **Agenda Item 8: Closure of the Meeting**

The interim-Chair closed the meeting with a statement expressing gratitude towards colleagues, the Secretariat and the Rapporteur for support during the meeting.

The STAC9 closed officially at 5.30pm, 9 February 2023.

**The Interim-Chairperson:**

- formally ***closed*** the ninth meeting of the Waigani Convention STAC.