

Draft Concept Note and Provisional Program

Regional Workshop on the Application of Environmental Impact Assessment (EIA) Principles in the Transboundary Movements of Waste under Multilateral Environmental Agreements (MEAs).

23 – 26 June 2025

Apia, Samoa

1. Introduction

The regulation and control of Transboundary movement (TBM) of hazardous waste and other waste matters, including limited disposal facilities, vast ocean territories complicating oversight, and increasing volumes of hazardous waste requiring shipment for proper treatment - are among the key priorities for the Pacific Region. While multiple conventions provide legal frameworks for these movements, the practical application of environmental assessment principles to strengthen the decision-making process remains inconsistent across the region. Identifying and managing the potential risks and harm to the environment caused by the TBM of hazardous waste remains one of the critical areas under the legal requirements of multilateral environmental agreements (MEAs).

There are two key regional legal instruments that provide scope for the TBM of hazardous waste.

- i. 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**")
The objective of the Waigani Convention is to reduce and eliminate transboundary movements of hazardous and radioactive waste; to minimize the production of hazardous and toxic wastes in the Pacific region and to ensure disposal of wastes in the Convention Area is completed in an environmentally sound manner.¹
It is modelled on the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal ("Basel Convention") and constitutes the regional implementation of the international waste control regime. There are subtle differences in that the Waigani Convention also covers radioactive waste, its territorial coverage includes each Party's Exclusive Economic Zone (200nm), rather than extending only to the outer boundary of each Party's territorial sea (12nm).²
- ii. The Convention on the Protection of the Natural Resources and Environment of the South Pacific Region and its related Protocols ("**Noumea Convention and Protocols**") is a UNEP Regional Seas Convention for the Pacific region. Adopted in 1986, the

¹ [Waigani Convention | Pacific Environment \(sprep.org\)](https://www.sprep.org/waigani-convention)

² [Waigani Convention | Pacific Environment \(sprep.org\)](https://www.sprep.org/waigani-convention)

scope of the Noumea Convention is the protection, management and development of the marine and coastal environment of the Pacific region. Under the UNEP Regional Seas Programme launched in 1972, the Convention aims to address the accelerating degradation of the world's oceans and coastal areas through the sustainable management and use of marine and coastal environments. The two related Protocols adopted in 1986 are: Protocol for the Prevention of Pollution in the South Pacific Region by Dumping and the Protocol Concerning Cooperation in Combating Pollution Emergencies in the South Pacific Region.

Additionally, global bodies and instruments like the **International Maritime Organization (IMO) instruments** and **MARPOL** play critical roles in regulating the maritime transport of hazardous materials, establishing vessel requirements, operational procedures, and emergency response frameworks that complement the waste movement conventions.

Environmental Impact Assessment (EIA) principles offer a structured approach to identifying, assessing, and mitigating environmental risks—principles that can significantly strengthen TBM waste decisions. International bodies and legal instruments such as the International Seabed Authority (ISA), the Convention on Biological Diversity (CBD), the High Seas Treaty (BBNJ Agreements), adopt EIA principles in their decision-making process for environmental consideration integration. EIA has also been increasingly applied in respect of activities that may potentially cause harm or impose adverse effects on the environment across state borders. By applying EIA methodologies to the Prior Informed Consent procedure, competent authorities can more effectively evaluate potential environmental impacts along transportation routes, develop appropriate conditions for approval, and establish monitoring requirements.

At the regional level, SPREP has developed a number of regional environmental assessment guidelines and tools including the Regional EIA Guidelines for Pacific Island Countries and Territories (PICTs) developed in 2016, the Strategic Environmental Assessment (SEA) Guidelines for PICTs developed in 2020 and other sector specific guidelines. These guidelines are to support Member Countries in the implementation and management of national EIA requirements and to meet obligations.

With support through the African, Caribbean and the Pacific (ACP) Multilateral Environmental Agreements (MEAs) Phase 3 Programme (ACPMEAs 3), this workshop addresses the need to systematically integrate EIA methodologies into waste movement approvals to enhance environmental protection throughout the process.

2. Objectives

The regional workshop will provide an opportunity for environmental and maritime officials to gain insight into the linkages, use and application of EIA principles, environment

protection laws and policies on the TBM of waste under key MEAs Specifically, the workshop aims to:

- (i) Enhance participants' understanding on the role of global and regional MEAs (Noumea and Waigani Conventions, IMO instruments) and the process of TBM of hazardous waste and other waste within the Convention Area (global, regional, national). This includes understanding SPREP's secretariat role and the linkages between different MEAs and frameworks (e.g., CBD, BBNJ)
- (ii) Develop participant's skills in applying EIA (including SEA and transboundary EIA) principles to strengthen the permitting and approval process and arrangements for the TBM of waste, with a focus on the Prior Informed Consent Procedure.
- (iii) Build capacity to identify and assess the environmental risks at each stage of waste movement (origin, transit and destination and develop appropriate mitigation measures and conditions.
- (iv) Provide practical experience on the application of EIA process to TBM of hazardous waste through relevant national case studies and structured exercises using established guidelines.
- (v) Collaboratively develop elements of a regional co-ordination mechanism to facilitate information sharing, consistent application of procedures, and collaborative responses related to the TBM of waste.

3. Expected outcomes

The workshop participants will benefit from the theoretical sessions and practical exercises to meet the following outcomes:

- (i) Enhanced understanding of international and regional cooperation and support in emergencies as well as environmental impacts in a transboundary context.
- (ii) Enhanced integration of EIA principles, environmental protection laws and policies into decision making processes for management of hazardous waste aligned to global and regional instruments.
- (iii) Improved understanding of the application and potential enforcement of EIA principles and environmental protection laws in the context of TBM of waste.
- (iv) Discussed and identified key elements that could form part of a regional co-ordination mechanism for TBM of hazardous and other waste.

4. Methodology

The methodology for the regional workshop is through theory and practical sessions. Participants will be taken through a series of foundational, introductory sessions to set the scene on the existing regional landscape relating to TBM of hazardous wastes as well as environmental impact assessment. The theoretical sessions will explore case studies of hazardous spills, the measures or solutions applied. The practical sessions will focus on case

studies for participants to identify possible step by step actions to be considered and undertaken in the event of an emergency and what actions or guidance will be needed to safeguard TBM of shipping waste.

5. Proposed participants

To make this workshop meaningful, we propose having two officers, one from the national maritime agency and one from the environmental permitting authority (2 total) from 7 PICs namely; Cook Islands, Fiji, Kiribati, Marshall Islands, PNG, Samoa and Solomon Islands. The proposed countries are recognized as regional hubs for hazardous waste disposal and management as well as large ocean states with high marine traffic.

6. PROVISIONAL PROGRAM

Day 1: Monday, 23 June 2025					
i. Opening					
ii. Theoretical aspects of global and regional instruments, national frameworks on enforcement of EIA principles as well environmental protection laws and policies.					
Ses- sion	Time	Session Title	Description	Presenter	Facilitator
1	8.00am – 8.30am	Official Opening			
	8.30am – 9.00am	MORNING TEA			
2	9.00am – 9.15am	Participants introduction Introduction of workshop objectives	Introduction of participants, workshop objectives.	SPREP	SPREP
3	9.15am – 9:45 am	Overview of MEAs & Secretariat Functions	This session provides a general overview of MEAs, SPREP's role as secretariat, introduces Legal Team's role. May include brief updates from relevant meetings (e.g., UN Oceans Conference)	SPREP	SPREP
4	9.15am – 10.15am	Global & Regional MEAs and TBM of Waste	Session focuses on relevant instruments: Basel, Waigani, Noumea, IMO/MARPOL. Covers scope, relevance, national linkages. <i>Includes links to other frameworks (e.g., CBD, BBNJ)</i>	SPREP	SPREP

			<i>Input from other SPREP programs possible.</i>		
5	10.15am – 11.00am	International & Regional Processes for Regulating TBM of Hazardous Waste	Covers the practical process under Conventions, linked to SPREP/Basel/Waigani practical guidelines. Includes discussion of reports from countries to COPs and specific case studies of TBM from SPREP records	SPREP	SPREP
6	11.00am – 12.00pm	Environmental assessments and management: Application to hazardous waste.	Covers core EIA frameworks/principles, introduces Strategic Environmental Assessment (SEA) and specific considerations for Cumulative & Transboundary Impact Assessment (TIA)	SPREP	SPREP
	12.00pm – 1.00pm	LUNCH BREAK			
7	1.00pm – 3.30pm	National experiences and case studies on the application of EIA for TBM of waste. <i>(Identify 2-3 member countries to share experience and allow discussions)</i>	<p>Opportunity for structured sharing by countries, guided by specific themes/prompts:</p> <ul style="list-style-type: none"> - Themes: Illegal movements (e.g., PNG/Solomon), Policy gaps (e.g., Fiji & Basel), Capacity issues, Infrastructure limitations, Market access/costs, Specific waste types (e.g., E-waste - Cook Is, ACM - Cook Is national disposal case). - Prompt: What forms of assessment are currently conducted? 	Selected countries	SPREP

	3.00pm – 3.30pm	AFTERNOON TEA & END OF DAY 1			
		Day 2: Tuesday, 24 June 2025 Practical aspects of global and regional instruments, national frameworks on enforcement of EIA principles as well as environmental protection laws and policies			
	Time	Session Title		Presenter	Facilitator
8	9.00am – 9.15am	Recap of Day 1	Open session for participant feedback/key takeaways.		SPREP
9	9.15am – 10.00am	Overview of practical exercise: <i>Applying EIA to TBM of Hazardous Waste</i> -	Session introduces case scenario(s) (hypothetical and real examples). - Explains use of SPREP/Basel/Waigani practical guidelines. Outlines task for Session 10 (group work by country). - Focus on risk assessment and management	SPREP	SPREP
	10.00am – 10.30am	MORNING TEA BREAK			
10	10.30am – 12.00pm	Practical Exercise (<i>Group Work by Country</i>): Applying EIA Principles & National Frameworks	Country teams (2 reps each) work through the case scenario. Apply relevant national policies, legislation (EIA, waste, maritime), and convention procedures/guidelines introduced. Focus on evaluating risks, process steps (origin, transit, destination), and setting conditions. Consider Prior Informed Consent.	SPREP	SPREP

	12.00pm – 1.00pm	LUNCH BREAK			
11	1.00pm – 2.00pm	Group Feedback & Plenary Discussion	Groups share key points from Session 12 exercise.	All	SPREP
12	2:00pm– 3.00pm	Workshopping elements of a regional co-ordination mechanism for transboundary movement of waste.	Building on Session 10, this session will focus on practical scenarios to workshop the identified elements: <i>Example: E-waste shipment application (e.g., Samoa to NZ via Fiji) arrives at Competent Authority. What are the steps? How is transshipment handled? What information is needed/shared? What are communication protocols between authorities? Clarify process steps, documentation, responsibilities.</i>	All	
	3.00pm – 3.15pm	TEA BREAK			
13	3:15pm– 4:15pm	Session 12 continued		All	SPREP
		END OF DAY 2			
		Day 3: Wednesday, 25 June 2025			
		Facilitated discussions on regional co-ordination mechanism for TBM of waste			
14	9.00am – 9.15am	Recap of Day 2	Open session for participant feedback/key takeaways.	SPREP	
11	9.15am – 10.15am	The Importance of Regional & International Coordination for Safe & Secure TBM of Waste	Links back to Sessions 3 & 5. Discusses pros/cons, stakeholders, beneficiaries of coordination. Emphasizes partnership and roles of countries	SPREP/ partners	SPREP

		The importance of regional and international co-ordination to ensure safety and security of transporting hazardous waste: pros and cons, stakeholders, beneficiaries.	and requirements under different MEAs.		
	10:15am – 10:45am	MORNING TEA			
12	10.00am – 12.00pm	Group exercise: Identifying Elements for a Regional Co-ordination Mechanism	Why is a regional coordination mechanism important for your country? What key elements should be proposed for such a mechanism (information sharing, procedures, response)?	Countries	SPREP
	12.00pm – 1.00pm	LUNCH BREAK			
14	2.00pm – 3.00pm	Workshop outcomes, feedback and recommendation	Session will capture the outcomes of the 4-day workshop and the next step/recommendations from countries	SPREP	
	1:00pm – 2:00pm	Group presentations on Elements for a Regional Coordination Mechanism	Feedback from groups	Countries	SPREP
	3.00pm – 3.30pm	REFRESHMENT END OF DAY 3			

Day 4: Thursday, 26 June 2025					
Site visits and launch of Emma Luke Earth Observation Center at SPREP					
	8:30am – 11:00am	SITE VISIT(S)	<ul style="list-style-type: none"> Samoa Port Authority (SPA) facilities; MNRE facility for Ozone Depleting Substances (ODS) export preparation; Waste management facilities at Tafaigata (e-waste, plastics, used oil). 	MNRE/SPA/SPREP	SPREP
	TBC	LAUNCH CEREMONY FOR PACIFIC REGIONAL EARTH OBSERVATION CENTRE			
	TBC	JOINT OFFICIAL CLOSING AND SOCIAL NETWORKING RECEPTION			