

## UNEP – MEA/WTO meeting

11 November 2002

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### Points to be raised:

#### I. TODAY

- In 1989, the world supported the adoption of the Basel Convention. In 2002, some question its scope. What has happened?
- The Basel Convention has successfully achieved its primary aim:
  - To control transboundary movements of hazardous wastes worldwide; this has led to putting light on such transboundary movements
- Another success is the adoption of two new annexes:
  - Annex VIII
  - Annex IXand the Protocol on Liability and Compensation
- Together with the current work on the compliance mechanism, this will reinforce the legal structure of the Basel Convention
- Preventing and combating illegal traffic still remains a big challenge.

#### II. THE FUTURE

- The Basel Convention is a fast evolving treaty with 153 Parties today
- It has demonstrated its ability to adapt to emerging situation or technical/scientific evolution.
- Being pro-active, the Parties have enlarged their vision on how to better protect human health and the environment from wastes;
  - This is the environmentally sound management approach.
- The environmentally sound management is a universal concept with principles supporting it; it supports the aims of the Basel Convention:

It is an approach applicable to everyone, everywhere and all the time. It is both a global and universal concept that requires the active involvement of all sectors of society.

- The 1999 Basel Ministerial Declaration and its enabling decision V/33 lay the foundation for aiming at environmentally sound management as part of sustainable development.
- To make it work, the Parties and their partners are preparing a Strategic Plan until 2010 that will be considered at COP6.
- The technical guidelines developed by the Technical Working Group, and adopted by the COP, are tools the Parties use to fulfil their environmentally sound management obligations under the Convention.
- Environmentally sound management means acting simultaneously at the international, national and regional levels.

### III. TENSION

- The progressive liberalization of trade and its globalization has the effect of making trade in hazardous and other wastes global
- I could cite 4 examples of tensions:

Market forces:

- Dismantling of ships
- Electronic waste
- Lead

### IV. WHERE LATE ACTION CAN PENALIZE DEVELOPMENT

- Example of asbestos in one country in Europe (8-10 billion euros in the next 20 years; 200,000 people affected by cancer by 2020)
- How about the many other waste streams? Some highly toxic

### V. AN ETHICAL DEBATE

- For more than 13 years, Parties to the Basel Convention are working to protect human health and the environment from hazardous and other wastes.
- Waste issues are global – Every country generates wastes, a portion of which is hazardous and universal – Everyone is affected as producers, consumers or victims.
- It is an issue that goes beyond trade and has ramifications to socio-economic development and the livelihood of the society itself.

- Consequently, we render the world more vulnerable if we do not build up the capacity of States to manage waste and hazardous wastes simultaneously with efforts to liberalize trade.
- It is vital to set up the necessary legal and institutional framework and the policies to aim at preventing and minimizing the quantity and hazardousness of wastes to lessen the burden of the negative impacts and costs to the society.
- Hazardous wastes are not a material like any other products or substances; it requires special attention and permanent vigilance to be able to prevent or mitigate their short or long term effects on human health and our life-support systems.
- With the environmentally sound management approach, the Basel Convention is building bridges with others dealing with health, development and economics. This is our challenge to take actions that improve the quality of life.

## VI. CONCLUDING REMARKS

- The members of WTO are or will be the same as the Parties to the Basel Convention. So, is there a problem?
- The economic and trade preference in political decisions should not let us forget that the environment requires long term solutions like those embodied in the Basel Convention.
- We have and share a fundamental goal: it is our commitment to protect the environment. This is a vision for humankind.
- Can we protect the environment only in certain circumstances, for instance when measures taken do not restrict trade?
- In our scale of value, should life and its support systems come first?
- We have agreed that we should pave the way to have trade and environmental policies mutually supportive.
- In regard to the critical issue of hazardous wastes, there is a pressing need to centre on a number of key points if we wish the debate to progress.
- We need to address the environmentally sound management approach called for in the Basel Convention; its local, national and international dimensions, its long term objective and its requirements, whether social, environmental or economic.
- Mutually supportive means giving something to the environment. We cannot and should not limit ourselves to consequences, positive or negative, on market access.

- We need to be open to dialogue and learn from each other. Find solutions. As a first concrete step, we need to identify tensions and understand them. Reflect on them.

As Montesquieu was saying: USELESS LAWS WEAKEN GOOD LAWS.

- No one has to gain from a weak environmental convention. The stronger the Basel Convention is, the better it can achieve its goals; the most effective it will be in improving the quality of life of people.
- The real world does not need to be a cynical world where conventions are adopted but not implemented. We should help build capacity as necessary.
- Because we care, we can find solutions when tensions occur between trade and environment.
- That is why we need to discuss and see how trade and environment policies can be mutually supportive and how altogether we can ensure optimum protection for the life-support systems of every person on this planet.

Thank you.  
Pierre Portas  
11 November 2002