



Distr.: General, 31 January 2018/Original: English

Conference of the Parties to the Bamako Convention on the Ban of the Import into Africa and the Control of Transboundary Movement and Management of Hazardous Wastes within Africa
“The Bamako Convention: A platform for a Pollution Free Africa”

Second Meeting of the Conference of the Parties to the Bamako Convention
Ministerial Segment Meeting
Abidjan, 31 January 2018

Draft Decision on “The Bamako Convention: A platform for a Pollution Free Africa”

The Conference of the Parties to the Bamako Convention on the Ban of the Import into Africa and the Control of Transboundary Movement of Hazardous Wastes within Africa (Bamako Convention):

Having met at Ivoire Golf Club, in Côte d’Ivoire, Abidjan on 30 January 2018 on the occasion of the Second Conference of the Parties to the Bamako Convention under the theme of “The Bamako Convention: A platform for a Pollution Free Africa”,

Appreciating the hospitality and generosity extended to delegations to the second Conference of the Parties by the host country, namely, the Government and people of Côte d’Ivoire,

Having further reviewed a number of issues pertaining to the effective implementation of the Bamako Convention, decisions adopted at its first meeting held at Bamako in June 2013 as well as those adopted at its Informal Consultative Meeting held at Nairobi in June 2016 and further underlined the importance of the Bamako Convention for Africa and reaffirmed our commitment to its implementation,

Taking note of the Bamako Declaration on protection of Africa against illegal dumping of Hazardous wastes (Bamako Declaration of 26 June 2013),

Appreciating the Note from the Secretariat on “Twenty years of the Bamako Convention: A Time for a more effective implementation” and the contents therein including the recommendations made,

Further appreciating with thanks the offer made by the Government of Mali to host the permanent secretariat of the Bamako Convention and taking note that the Government has been consistent on its

offer since the first Conference of the Parties in June 2013, repeated at the Informal Consultative Meeting in June 2016 and reconfirmed again at the second Conference of the Parties in 2018, *Appreciating further* the role that has been and continue to be played by the United Nations Environment Programme in providing the needed secretariat support and services to the Bamako Convention,

Considering that the Bamako Convention celebrates twenty years since it entered into force in 1998, and thus an appropriate period to review progress made in its implementation, its effectiveness, challenges faced and its readiness to address emerging and more complex hazardous wastes,

Taking into account that the review process will lead to the repositioning of the Bamako Convention and ensure it aligns itself appropriately with relevant existing chemical related instruments, such as, chemical and wastes related conventions and frameworks such as, Strategic Approach to International Chemicals Management (SAICM) as well as 2030 Agenda for Sustainable Development, the 2063 African Union Strategic Agenda and the UN Environment Assembly resolutions adopted at its third session, to mention but a few,

While appreciating that some progress has been made in the implementation of the Bamako Convention, also raised concerns on the limited progress made thus far on its implementation by most of the Parties as well as lack of resources from the Parties to support and facilitate its implementation both at national and regional level,

Noting with concern the content of the Note from the Secretariat on its report on the status of implementation of the Bamako Convention as well as adopted past decisions that no resources have been available from the Parties for the implementation of the approved costed programme of work leading to poor implementation of the Bamako Convention,

Acknowledging the organic relation with the Basel Convention and considering the magnitude of challenges caused by the transboundary movement of hazardous wastes within the coasts of Africa and the opportunities that exist to enforce the ban on the import of hazardous wastes into Africa and thus protect human health and the environment contributing to the sound management of chemicals and wastes in Africa,

Welcoming the outcomes of the third session of the UN Environment Assembly held in Nairobi in December 2017 under the banner of "Towards a Pollution-Free Planet" which is directly relevant to theme of the second Conference of the Parties to the Bamako Convention on the theme, "The Bamako Convention: A platform for a Pollution Free Africa",

Welcoming further the adoption of eleven resolutions plus a negotiated Ministerial Declaration by the UN Environment Assembly, all of which provide adequate scientific tools as well as a framework for developing national policy and legislative instruments to deal with various forms of, *inter alia*, ocean pollution and inclusive approaches to protect the planet from pollution and prevent or avoid activities that generate pollution which threatens humanity and planet as well as impacting upon the effective implementation of the Bamako Convention,

Re-iterating the outcomes of the sixteenth session of the African Ministerial Conference on the Environment (AMCEN) held in June 2017 that urged non-parties to the Bamako Convention to ratify or accede to the Convention; and requested Parties to the Bamako Convention that have not yet informed the Secretariat of the designation or establishment of their competent authorities, focal point and dumpwatch to do so as soon as possible and to nominate competent experts to the Legal and Technical Working Group and to the Ad-Hoc Expert Group on Liabilities and Compensation;

Acknowledging that the objectives, aspirations and actions for effective implementation of the Bamako Convention goes beyond its related global Basel Convention, nonetheless promoting cooperation, collaboration and synergies with it as well as other chemical related conventions will further foster and promote effective implementation of the Bamako Convention,

Welcoming the convening of the third Inter-Ministerial Conference on Health and Environment for the implementation of the Libreville Declaration on Health and Environment in Africa aimed at catalyzing policy, institutional and investment changes required to reduce environmental threats to human health, to be held in Libreville, Gabon in 2018,

Welcoming the Libreville Declaration to support effective implementation at national, sub regional and regional level of mechanisms for enforcing compliance with international conventions and national regulations to protect populations from health threats related to the environment, including accession to and implementation of the Bamako Convention by those countries that have not yet done so,

Appreciating the role-played and work undertaken by the UN Environment Programme in continuing to serve as the Secretariat of the Bamako Convention and supporting its effective implementation as well as of decisions taken by its bodies,

Appreciating further the financial and technical support and assistance received from UN Environment Programme as well as from the donor community for the implementation of Bamako Convention,

Thus, agreeing to take necessary measures and actions as soon as feasible to guarantee effective implementation of the Bamako Convention, decisions taken at its first meeting of the Conference of the Parties, also at its Informal Consultative Meeting as well as during this second Conference of the Parties,

Hereby:

1. **Reaffirms and renews** through their actions the political commitment made towards a platform for a pollution-free Africa through the support for the implementation of the Bamako Convention as the Parties' contribution to achieving the sustainable development goals for 2030 Agenda and sound management of chemicals and wastes;
2. **Reaffirms** their ambition proclaimed in Bamako on 26 June 2013 to protect vulnerable groups including children and poor communities from negative impacts resulting from unsafe chemical use and unsound waste disposal, and to take actions to prevent Africa from becoming a dumping ground for toxic wastes through an effective implementation of the Bamako Convention;

3. **Commits** to contribute to the agreed budget for the implementation of the approved costing programme of work for the Bamako Convention;
4. **Accepts and thanks** the offer extended by the Government of Mali, through its Minister, to host the Bamako Convention permanent secretariat at Bamako, Mali;
5. **Requests** the Government of Mali and the current Secretariat of the Bamako Convention to develop a roadmap, with inputs from the Parties, for the establishment of the permanent secretariat and report its status at the Extra-Ordinary meeting of the Conference of the Parties to be held, in accordance with Rule 6(1) of the Rules of Procedure of the Bamako Convention, in Sudan in early 2019;
6. **Calls upon** the Government and Mali and the current Secretariat to ensure that the secretariat functions and activities for the implementation of the Bamako Convention transition as soon as feasible to its permanent secretariat location in Bamako, Mali.
7. **Requests** the United Nations Environment Programme to continue, in the meantime, to provide the secretariat support and services it has been providing as requested and authorized by its governing body;
8. **Ensures** the secretariat is endowed with adequate human and financial resources required to support and accelerate, **in collaboration with the Parties**, effective implementation of the approved costing programme of work ~~in collaboration with the Parties~~;
9. **Calls upon the Parties to pay** their agreed assessed contributions to the budget for the implementation of the Bamako Convention as well as ensure that accrued arrears are fully paid and on time;
10. **Further calls upon the Parties** to take concerted measures individually as Parties and jointly together to fund raise for the prioritized activities for the effective implementation of the Bamako Convention. To this end, **requests** the Secretariat, in cooperation with the Parties, to develop a fund raising strategy to be used by both the Secretariat and the Parties to fund raise for the national as well as regional activities necessary for the effective implementation of the Bamako Convention;
11. **Asks** the Parties to ensure that the Bamako Convention is well repositioned to meet its current challenges and in this regard, **requests** the Executive Secretary of the current Secretariat to nominate and/or designate a dedicated focal point to work and collaborate on a regular and continuous basis with the Parties, non-Parties and partners to support the effective implementation of the Bamako Convention;

12. **Guarantees and secures** through their national legal, institutional and administrative systems a total ban of imports hazardous chemicals and wastes into Africa and control of transboundary movement of hazardous wastes;
13. **Urges** those countries that are not yet parties to the Bamako Convention to see its merit and ratify or accede to it as soon as feasible so as to join hands taking actions for the total ban of imports of hazardous chemicals and wastes into Africa;
14. **Requests** the Parties to develop and/or review and update national strategies, policies, legal, administrative and institutional frameworks as well as action plans necessary for the domestication of the Bamako Convention and its effective implementation;
15. **Appeals** to the Parties to designate and/or nominate, if not yet done so, national focal point(s) for the implementation of the Bamako Convention as well as national experts to serve in different subsidiary bodies established by the Conferences of the Parties for specific purposes and to inform and update the Secretariat of such nomination or any changes to existing focal points;
16. **Calls upon** the Parties, the Secretariat and partners to promote coherence and synergies between the Bamako Convention and other chemical and hazardous wastes related conventions, in collaboration with relevant secretariats, to conduct joint capacity development and capacity building activities including training, research programmes and awareness raising;
17. **Invites the Parties and the Secretariat to enhance, advocate and promote cooperation as well as develop stronger partnerships with relevant partners, such as, the regional economic communities and Regional Basel Convention Centres for the effective implementation of the Bamako Convention;**
18. **Urges** the Parties to engage with relevant global sound management of chemicals and wastes and intensify efforts to achieve by 2020 the goal for the environmentally sound management of chemicals and wastes throughout their life cycle with Bamako Convention serving as an implementation tool for the achievement of the sustainable development goals and protection of human health and the environment in Africa as underlined in the Strategic Approach to the International Chemicals Management (SAICM);
19. **Calls upon** the Parties to undertake concrete actions and measures needed for the implementation of the decisions adopted at the past as well as present Conference of the Parties and call for their adequate and coherent implementation;
20. **Decides to convene an extra-ordinary Conference of the Parties before the next ordinary session, in accordance with Rules 6(1) and 15 of the Rules of Procedure of the Bamako Convention Conference of the Parties, to reposition the Bamako Convention for its rigor implementation as well as to discuss and agree on the roadmap for the establishment of the permanent secretariat for the Bamako Convention in Bamako, Mali;**
21. **Further decides to accept and thank for the offers extended by the Governments of Sudan and the Republic of Congo, through their Ministers, to host the Extra-ordinary Conference of the Parties in**

early 2019 as well as the third Conference of the Parties in 2020 respectively at the dates to be determined in due course;

22. **Calls upon** the Secretariat to cooperate and support the Parties in their undertakings of the necessary national and regional actions and activities for the implementation of these and other decisions adopted at this Conference of the Parties;
23. **Invites** the Parties and partners to cooperate with each other, bilaterally and/or regionally, in the implementation of the activities envisaged under this decision;
24. **Requests** the relevant international and regional donor community to support their actions and activities for the implementation of this and other decisions adopted at this Conference of the Parties;
25. **Calls upon** the Parties to collaborate with relevant international, regional and national organizations and other stakeholders to advance the theme of the Conference of the Parties on “Bamako Convention - a platform for pollution-free Africa”;
26. **Requests** the Parties to report on the progress of the implementation of this decision in their national reports, through the Secretariat, to the next Conference of the Parties.