

# BASEL, ROTTERDAM AND STOCKHOLM CONVENTIONS

## PROJECT CONCEPT NOTE

<b>CONVENTIONS :</b>		<b>PROJECT TITLE :</b>	
<input checked="" type="checkbox"/> BC <input type="checkbox"/> RC <input type="checkbox"/> SC <input type="checkbox"/> SYN		Legal and policy activities specific to the Basel Convention	
<b>FUNDING OPTIONS:</b>		<b>TYPE / LOCATION</b>	<b>TARGETED COUNTRIES:</b>
<input type="checkbox"/> Funding in full <input checked="" type="checkbox"/> Partial funding possible		<input checked="" type="checkbox"/> Global <input type="checkbox"/> Regional <input type="checkbox"/> National	Parties to the Basel Convention
Project start date: <i>01.01.2016</i>		Project completion date: <i>31.12.2017</i>	Total duration: <i>24 months</i>
<b>LEGAL BASIS AND MANDATE</b>			
<p><b>Work programme of the BC ICC</b>          In its decision BC-12/7: Committee for Administering the Mechanism for Promoting Implementation and Compliance of the Basel Convention, the COP, among other things, adopted the work programme of the ICC for 2016-2017, including activities under its general review mandate.</p> <p><b>Implementation Fund</b>          In its decision BC-12/7: Committee for Administering the Mechanism for Promoting Implementation and Compliance of the Basel Convention, the COP, among other things, mandated the ICC accord priority to dealing with specific submissions regarding party implementation and compliance. In relation to the implementation fund, the COP also decided that the Committee shall make recommendations to the Executive Secretary on the allocation of the available resources from the implementation fund in the period between COP-12 and COP-13. The resources are intended to fund activities listed in the compliance action plans elaborated by the party concerned in its submission and approved by the Committee.</p> <p><b>Notification of information pursuant to Articles 3 (national definitions), 4(1) (import prohibitions), 11 (agreements) and 13 (2) (transmission of information)</b>          Parties transmit certain information in accordance with various provisions of the Basel Convention, namely: (Articles 4 and 13(2)) Decisions to prohibit/not to consent totally or partially to imports of and decisions to limit/ban the export of hazardous wastes or other wastes for disposal; (Article 3 and 13 (2)) National definitions of hazardous wastes and any significant changes; (Articles 11 and 13(2)) Agreements or arrangements regarding transboundary movement of hazardous wastes or other wastes with parties or non-parties. In its decision BC-12/8: National legislation, notifications, enforcement of the Convention and efforts to combat illegal traffic, BC COP-12 requested the Secretariat to make information on national definitions of hazardous wastes and information on import/export restrictions or prohibitions available in the six official languages of the UN.</p> <p><b>Strategic framework for the implementation of the Basel Convention for 2012 – 2021</b>          At its tenth meeting, the Conference of the Parties to the Basel Convention adopted decision BC-10/2 on the strategic framework for the implementation of the Basel Convention for 2012–2021 by which it adopted the strategic framework set out in the annex to the decision. In accordance with section VI of the annex to the decision, the Secretariat is required to prepare reports on the continued relevance of and progress in relation to the strategic framework for the implementation of the Basel Convention.</p> <p>Funding for these four parts of the activity has been foreseen in activity 32 (BC) of the programme of work and budget of the Basel Convention for the biennium 2016-2017.</p>			
<b>BACKGROUND INFORMATION AND PROJECT JUSTIFICATION</b>			
<p><b>Work programme of the ICC</b>          The work programme of the Committee is adopted by the Conference of the Parties and reflects parties' shared view of the activities to be undertaken to promote the implementation of and compliance with the Convention with respect to general issues of implementation and compliance.</p> <p><b>Implementation Fund</b>          The provision of financial support to parties that are developing countries or countries with economies in transition and that are the subject of a submission made in accordance with paragraph 9 of the terms of reference of the ICC may be critical in view of resolving an implementation and compliance matter. The ICC is</p>			

expected to consider at least two more compliance action plans during its twelfth meeting scheduled for 4-6 June 2016 (Eritrea, Liberia). At that time, the ICC may recommend that the Secretariat use resources in the implementation fund to support parties implement the activities of the approved compliance action plans.

**Notification of information pursuant to Articles 3 (national definitions), 4(1) (import prohibitions), 11 (agreements) and 13 (2) (transmission of information)**

In order to effectively implement the Convention and to ensure compliance with relevant national implementing laws, regulations and policies, the parties need sound and complete information about their own and other parties' additional requirements under their national legal frameworks. Making information available at least in English is essential to supporting cooperation and promoting environmentally sound management of hazardous wastes.

**Strategic framework for the implementation of the Basel Convention for 2012 – 2021**

In accordance with decision BC-10/2, the Secretariat is required to prepare reports on the continued relevance of and progress in relation to the strategic framework for the implementation of the Basel Convention, for the purpose of (i) a mid-term evaluation of the strategic framework to be considered by the Conference of the Parties at its thirteenth meeting and (ii) a final evaluation to be considered by the Conference of the Parties at its fifteenth meeting. To facilitate these evaluations, the Secretariat developed a 2011 baseline against which to measure progress. Prior to the thirteenth meeting of the Conference of the Parties in 2017, the Secretariat is required to gather information from parties using the format for reporting developed by it and to prepare a report on the mid-term evaluation.

All four parts of this activity will contribute to the implementation of the 2030 Agenda for Sustainable Development and the Sustainable Development Goals (SDGs), in particular, Goal 3 on ensuring healthy lives and promoting well-being for all at all ages; Goal 11 on making cities and human settlements inclusive, safe, resilient and sustainable; and Goal 12 on ensuring sustainable consumption and production patterns.

**PROPOSED ACTIVITIES**

**Work programme of the BC ICC**

The Secretariat will use the resources to support the ICC in implementing the activities of its 2016-2017 work programme pertaining to general issues of implementation and compliance. As decided by the COP in its decision BC-12/7, these aim for instance to improve compliance with national reporting, to prevent and combat illegal traffic, to develop national legal frameworks, to implement the Convention's control system, and to improve the implementation of and compliance with paragraph 11 of Article 6 of the Convention on insurance, bond and guarantee. The specific activities include the development of reports, of recommendations to the attention of the COP, of new or revised guidance documents and the classification of compliance performance with the national reporting obligation.

It will be up to the ICC to advise on how to undertake these activities, for instance through the hiring of consultants.

**Implementation Fund**

Resources in the implementation will be used to support the implementation of compliance action plans approved by the ICC and subject to the conditions set by the COP for the use of the fund. The resources in the implementation fund will be subject to the guidance and decisions adopted by the ICC during the biennium.

**Notification of information pursuant to Articles 3 (national definitions), 4(1) (import prohibitions), 11 (agreements) and 13 (2) (transmission of information)**

Resources will be used to retain consultants to translate notifications transmitted by parties into the six official languages of the United Nations. The notifications will be translated into English initially and subject to the availability of resources subsequently into all remaining official UN languages.

Resources are also being sought to engage a consultant to further develop tools to improve accessibility and user-friendliness of website pages (please see the CHM Concept Note for more details and budget).

**Strategic framework for the implementation of the Basel Convention for 2012 – 2021**

It is proposed to retain a consultant who, under the guidance of the Secretariat, will collect 2015 data from parties using the format for reporting developed by the Secretariat, and create a report on the mid-term evaluation of the strategic framework for consideration by the Conference of the Parties at its thirteenth meeting.

## RESULTS TO BE ACHIEVED

### Expected results:

1. **Work programme of the BC ICC:** improved implementation and compliance by parties with the Basel Convention, in particular with respect to national reporting, illegal traffic, national legislation, insurance bond and guarantee and the control system;
2. **Implementation Fund:** resources in the implementation fund are allocated to parties concerned by a submission whose compliance action plan has been approved by the ICC;
3. **Notification of information pursuant to Articles 3 (national definitions), 4(1) (import prohibitions), 11 (agreements) and 13 (2) (transmission of information):** Notifications received from parties are translated into one or more of the official United Nations languages upon receipt and made available to parties as well as other stakeholders on the Convention website;
4. **Strategic framework for the implementation of the Basel Convention for 2012 – 2021:** a robust mid-term evaluation of the strategic framework is submitted to the Conference of the Parties at its thirteenth meeting.

### Indicator of success:

1. **Work programme of the BC ICC:** the ICC considers all the activities of its 2016-2017 work programme;
2. **Implementation Fund:** Subject to the adoption of compliance action plans by the ICC, the Secretariat allocates resources from the implementation fund to support at least one Party implement its plan;
3. **Notification of information pursuant to Articles 3 (national definitions), 4(1) (import prohibitions), 11 (agreements) and 13 (2) (transmission of information):** More notifications are made available in more than one United Nations official language to parties and other stakeholders, either through the Convention website or other means.
4. **Strategic framework for the implementation of the Basel Convention for 2012 - 2021:** For the 2011 baseline, only 19% of Basel parties submitted the requisite information. An indicator of success would be to improve on this 19% response rate to achieve a 50% response rate which is line with what is achieved under annual national reporting.

### Means of verification:

1. **Work programme of the BC ICC:** the ICC will prepare a report to COP-13;
2. **Implementation Fund:** the ICC will prepare a report to COP-13;
3. **Notification of information pursuant to Articles 3 (national definitions), 4(1) (import prohibitions), 11 (agreements) and 13 (2) (transmission of information):** Translated notifications will be made available on the Basel Convention website and also available to the BC export and import control tool;
4. **Strategic framework for the implementation of the Basel Convention for 2012 - 2021:** Submissions received from parties using the format for reporting.

## PROJECT SUSTAINABILITY AND REPLICABILITY

### Work programme of the BC ICC

The BC ICC is a standing governing body whose activities are decided by the COP and then endorsed by the COP, thereby ensuring global support for its activities and deliverables. Some deliverables will be developed with the involvement of all parties thereby increasing the chances of quality of these outputs as well as their ownership by all parties. COP endorsement will be followed by dissemination on the website and, when possible and relevant, development of publications in the six UN languages (electronic and printed format). Guidance developed by the ICC and adopted by the COP will then be used in the Secretariat's training activities.

### Implementation Fund

The implementation of the compliance action plans funded through the implementation fund is monitored by the ICC until the ICC has decided that the implementation and compliance difficulties of the party in question have been resolved. The Secretariat reports to the ICC and to the COP on the use of resources in the implementation fund, and the COP decides whether or not to continue noting funding needs in this fund.

### Notification of information pursuant to Articles 3 (national definitions), 4(1) (import prohibitions), 11 (agreements) and 13 (2) (transmission of information)

The information will not only be widely available on the Basel Convention website for all stakeholders, but the translations will be referred to when the Secretariat responds to queries. Other tools, including the joint clearing-house mechanism and the BC export and import control tool could also draw on this information.

### Strategic framework for the implementation of the Basel Convention for 2012 – 2021

The strategic framework consists of a vision, guiding principles, strategic goals and objectives, means of implementation, and indicators for measuring achievement and performance. Parties are encouraged to take specific actions to implement the strategic framework through the activities listed in the biennial programme of work. The mid-term evaluation of the framework which is encompassed by this project component is intended to ensure the sustained implementation of the strategic framework.

### GENDER MAINSTREAMING

In general, as far as BRS, including BC, legal and policy matters are concerned, to be in line with the BRS Gender Action Plan, the Secretariat will, where appropriate, encourage governments to take into account gender-related aspects in nominating representatives to the meetings of the convention bodies and in other relevant activities where suitable. The Secretariat will also advise, where appropriate, any potential gender impacts of the legal and policy matters considered.

#### More specifically:

##### - **Work programme of the BC ICC**

It will be up to the ICC members to take into account this dimension when undertaking their activities. Also, identification of the party's representative attending the meeting of the ICC is a matter for the party concerned to determine. In line with the BRS Gender Action Plan, the Secretariat will, where appropriate, encourage governments to take into account gender-related aspects in their nomination of their representative to an ICC meeting and in other matters. The Secretariat will also advise the ICC of any potential gender impacts of the matters considered by the ICC.

##### - **Implementation Fund**

It will be up to the party concerned and the ICC members to take into account this dimension when undertaking their activities. Yet, in line with the BRS Gender Action Plan, the Secretariat will, where appropriate, encourage governments to take into account gender-related aspects.

##### - **Notification of information pursuant to Articles 3 (national definitions), 4(1) (import prohibitions), 11 (agreements) and 13 (2) (transmission of information)**

Information will be made available in all six official United Nations languages to all stakeholders. Thus, the information provided or collected could ultimately help in paying special attention on gender issues, where the case may be. The information could indeed be used to better track or monitor, identify and collect relevant information on what may have an impact on gender issues. These information could be used also as tools to help in better targeting activities aiming at ensuring better gender balance, in particular as to vulnerable groups who may suffer from a greater exposure to hazardous wastes; they could help considering specific risks linked to these vulnerable groups, identify gaps and challenges.

##### - **Strategic framework for the implementation of the Basel Convention for 2012 – 2021**

Although gender issues are not specifically addressed in the strategic framework, the Secretariat will, however, where appropriate and in line with the BRS Gender Action Plan, pay special attention to gender balance and encourage governments to take into account these aspects.

## OUTREACH AND INFORMATION SHARING

### Work programme of the BC ICC

Information is shared through: briefings with the Permanent Missions in Geneva, posting on the website of the Convention, communications between the ICC members, communications and requests for information sent by the ICC to parties, consultations with the OEWG, various presentations/speeches by the Secretariat on the work of the ICC in the context of its cooperation with partners, webinars, reports back to the COP and publication of guidance documents adopted by the COP.

### Implementation Fund

Information about is shared through: briefings with the Permanent Missions in Geneva, posting on the website of the Convention, communications between the ICC members and with the party concerned, various presentations/speeches by the Secretariat on the work of the ICC in the context of its cooperation with partners, webinars, reports back to the COP.

### Notification of information pursuant to Articles 3 (national definitions), 4(1) (import prohibitions), 11 (agreements) and 13 (2) (transmission of information)

All translated information would be shared through website pages, as well as referred to in relation to queries by parties and other stakeholders. It could also serve as a source of reference for those concerned with transboundary movements of wastes. Translation greatly increases accessibility to information by all stakeholders, as well as facilitating subsequent use e.g. CHM tools.

### Strategic framework for the implementation of the Basel Convention for 2012 – 2021

Information about the mid-term evaluation of the strategic framework is to be shared through: briefings with the Permanent Missions in Geneva, posting on the website of the Convention, communications with parties and reports back to the OEWG and COP.

## BUDGET [USD]FOR 2016-2017

STAFF PERSONNEL *	340,800
CONTRACTUAL SERVICE	1,370
TRAVEL	-
EQUIPMENT, VEHICLES, FURNITURE	-
OTHER OPERATIONAL COSTS	-
GRANTS OUT	100,000
<b>DIRECT PROJECT COST OPERATIONAL BUDGET</b>	<b>442,170</b>
<i>Programme Support Costs (PSC) 13%</i>	<i>57,482</i>
<b>TOTAL OPERATIONAL BUDGET</b>	<b>499,652</b>

\* CHM concept note on "Information exchange activities of the clearing-house mechanism: national legislation related to the Basel and Rotterdam conventions; notifications under the Basel Convention" details the tool to further improve accessibility and user-friendliness of website pages regarding notifications, including budget.