

<b>Convention: BRS</b>	<b>Legal and policy: National legislation, illegal traffic and trade and enforcement under the Basel, Rotterdam and Stockholm Conventions</b>
<b>LEGAL BASIS/MANDATE:</b>	
<ul style="list-style-type: none"> <li>• Programme of Work Activity 33 (S20): Legal and policy activities under the Basel, Rotterdam and Stockholm Conventions</li> <li>• Decision BC-11/8: Committee for Administering the Mechanism for Promoting Implementation and Compliance of the Basel Convention</li> <li>• Decision BC-11/10: National legislation, notifications, enforcement of the Convention and efforts to combat illegal traffic</li> <li>• Decision BC-11/26: Financing and budget for the biennium 2014–2015</li> <li>• Synergies decisions: IX/10, RC-4/11 and SC-4/34 (section I, part A, para 3 and 4)</li> </ul>	
<b>BACKGROUND INFORMATION:</b>	
<p>The legal and policy activities pertaining the Basel, Rotterdam and Stockholm Convention aim at ensuring that the Conventions operate on a sound legal basis. Under the Basel Convention, developing legal frameworks and preventing and combating illegal traffic are core requirements under the Convention (art. 4.4 and 9.5) and the Secretariat’s activities pertaining to national legislation, illegal traffic and enforcement support the effective implementation of these requirements and hence the achievement of fundamental objectives of the Convention. COP-11 adopted two decisions of particular relevance to the objective of preventing and combating illegal traffic. By Decision BC-11/8: Committee for Administering the Mechanism for Promoting Implementation and Compliance of the Basel Convention, COP-11 established ENFORCE. By Decision BC-11/10: National legislation, notifications, enforcement of the Convention and efforts to combat illegal traffic, COP-11 invited Parties and requested the Secretariat to undertake a number of activities aimed at preventing and combating illegal traffic. In their decisions on enhancing cooperation and coordination among the Basel, Rotterdam and Stockholm Conventions, the three COPs list “combating illegal traffic and trade in hazardous chemicals and wastes” as a specific area for enhanced cooperation and coordination among the conventions.</p>	
<b>PROPOSED ACTIVITIES TO BE FUNDED:</b>	
<p>The activities for which funding is sought in the area of preventing and combating illegal traffic fall within three broad categories:</p> <ol style="list-style-type: none"> <li>1. Staff travel to <u>meetings of enforcement partners</u>, such as the WCO enforcement Committee, the Interpol Pollution Crime Working Group, the annual workshop of the Asian Network for Prevention of Illegal Transboundary Movements of Hazardous Wastes, the Annual Meeting of IMPEL TFS, meetings of the INECE SESN, meetings organized by other institutions such as DELC and MEAs (e.g. CITES, Montreal Protocol).</li> <li>2. <u>ENFORCE</u>: COP-11 established ENFORCE and adopted terms of reference which request the Secretariat to serve as the Secretariat of ENFORCE. Decision BC-8/11 also requests the Secretariat to organize meetings of ENFORCE. The specific activities for which funding is sought are: <ul style="list-style-type: none"> <li>- Travel of 30 funded participants to the annual meeting of ENFORCE;</li> <li>- Rental of venue for the meetings; and,</li> <li>- ENFORCE-related activities.</li> </ul> </li> <li>3. <u>Illegal traffic/trade specific activities</u>: as identified in the budget fact sheet pertaining to activity 33 (S20), funding is also sought for the development of an <i>analysis on possible synergies in preventing and combating illegal traffic and trade</i> in hazardous chemicals and wastes, building on lessons learned under the Basel Convention and other relevant MEAs as well as for the <i>publication of the guidance document on the Basel Convention illegal traffic take back provision</i> which is under development by the Basel Convention Implementation and Compliance Committee and will be considered for adoption by COP-12.</li> </ol>	
<b>RESULTS TO BE ACHIEVED:</b>	
<ul style="list-style-type: none"> <li>• Staff travel to <u>meetings of enforcement partners</u>: Participation in such meetings allows the Secretariat to ensure a two-way communication with such organizations on <i>legal and policy aspects of preventing and combating illegal traffic</i>: COP outcomes and progress are communicated to such partners and the</li> </ul>	

Secretariat is informed of activities undertaken by such entities. This cooperation is expected to ensure greater coherence among the organizations dealing with the legal and policy aspects of preventing and combating illegal traffic, which will strengthen Parties' efforts to prevent and combat illegal traffic.

- **ENFORCE:** Through a network of relevant experts, ENFORCE is expected to promote parties' compliance with the provisions of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal pertaining to preventing and combating illegal traffic in hazardous wastes and other wastes through the better implementation and enforcement of national law. This will be achieved by bringing together existing resources and enhancing and improving cooperation and coordination between relevant entities with a specific mandate to deliver *capacity-building activities and tools* on preventing and combating illegal traffic. This approach also aims at avoiding duplication and maximizing the use of available resources.
- **Illegal traffic/trade specific activities:**
  - Both proposed activities aim at providing Parties with an increased understanding of preventing and combating illegal traffic and trade in hazardous chemicals and wastes:
    - The development of *analysis on possible synergies in preventing and combating illegal traffic and trade* in hazardous chemicals and wastes, building on lessons learned under the Basel Convention, is a contribution to the objectives of enhanced cooperation and coordination among the Basel, Rotterdam and Stockholm Conventions. This will provide the COPs with one basis to identify and, as appropriate, consider opportunities for synergies;
    - The publication of the *guidance document on the illegal traffic take back provision* of the Basel Convention will allow the dissemination, in a format more appealing than a meeting document, of guidance of interest to a wide range of actors involved in the Basel Convention enforcement chain such as environmental authorities, port authorities, customs, police, prosecutors, judiciary.

<b>VOLUNTARY BUDGET [USD] FOR 2014 - 2015</b>		
<b>10</b>	<b>PROJECT PERSONNEL COMPONENT</b>	
1610	Staff travel to meetings of enforcement partners	30,000
<b>20</b>	<b>SUB-CONTRACT COMPONENT</b>	
2200	Sub-contracts	
2211	ENFORCE activities	90,000
2211	Illegal traffic/trade specific activities	30,000
<b>30</b>	<b>TRAINING COMPONENT</b>	
3300	Meetings and Conferences	
3304	Meeting of ENFORCE	80,000
	<b>DIRECT PROJECT COST OPERATIONAL BUDGET</b>	<b>230,000</b>
	<b>Programme Support Costs (PSC) 13%</b>	<b>29,900</b>
	<b>TOTAL OPERATIONAL BUDGET</b>	<b>259,900</b>