

IX/2: Work programme for the Committee for Administering the Mechanism for Promoting Implementation and Compliance of the Basel Convention for the period 2009–2011

The Conference of the Parties,

Noting the report of the Committee for Administering the Mechanism for Promoting Implementation and Compliance of the Basel Convention on its work and the recommendations contained therein,

Recognizing the need to provide the Committee with sufficient funding in order to enable it to function effectively and to carry out its work programme,

1. *Approves* the work programme of the Committee for 2009–2011 set out in the annex to the present decision;
2. *Requests* the Committee to establish priorities, work methods and schedules with regard to the issues identified in the work programme and to coordinate with the Open-ended Working Group, the Secretariat and the Basel Convention regional centres in order to avoid duplication of activities;
3. *Calls upon* all Parties that are in a position to do so to make financial or in-kind contributions to enable the Committee to carry out its work programme;
4. *Requests* the Committee to report to the Conference of the Parties at its tenth meeting on the work it has carried out to fulfil its functions in accordance with paragraphs 23 and 24 of the terms of reference for the Mechanism for Promoting Implementation and Compliance of the Basel Convention;
5. *Calls upon* Parties to make use of the Mechanism for Promoting Implementation and Compliance of the Basel Convention;
6. *Decides* to enlarge the scope of the Trust Fund to Assist Developing Countries and other Countries in Need of Technical Assistance in the Implementation of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (Technical Cooperation Trust Fund) to establish an implementation fund to assist any Party that is a developing country or country with an economy in transition and is the subject of a submission made in accordance with paragraph 9 of the terms of reference of the Committee;
7. *Authorizes* the Committee to recommend use of the implementation fund referred to in paragraph 6 above, subject to the availability of resources, to assist Parties in the context of the facilitation procedure established under paragraph 20 of the Committee's terms of reference;
8. *Urges* Parties that are in a position to do so to provide contributions to the implementation fund referred to in paragraph 6 above to support the activities referred to in paragraph 7 above.

Annex to decision IX/2

Work programme for 2009–2011 of the Committee for Administering the Mechanism for Promoting Implementation and Compliance

I. Review of general issues of compliance and implementation under the Convention

1. During the biennium 2009–2011 the Committee for Administering the Mechanism for Promoting Implementation and Compliance shall review the general issues identified in tables 1 and 2 below in accordance with paragraph 21 of the terms of reference for the mechanism contained in the annex to decision VI/12 of the Conference of the Parties and in accordance with the priorities and budget decided by the Conference of the Parties at its ninth meeting.
2. In doing so the Committee shall take full account of previous discussions and decisions by Basel Convention bodies on relevant issues and shall also take account of its mandate to complement the work performed by other bodies of the Basel Convention and by the Basel Convention regional centres.
3. The Committee shall also continue to monitor any developments on other issues addressed under its earlier work programmes.
4. In undertaking the review of general issues of compliance, the Committee may refer to, and cooperate with, all sources of information and expertise set forth in paragraph 22 of the terms of reference, including through collaboration with regional and international bodies with monitoring and enforcement responsibilities in respect of hazardous wastes.

Table 1: Monitoring, assessing and facilitating reporting under article 13 of the Basel Convention

Objective	Activity
Ensure and improve effective and complete national reporting.	<ol style="list-style-type: none">(a) Review information held by the Secretariat under article 13 of the Convention.(b) Compile:<ol style="list-style-type: none">(i) A list of Parties which have submitted annual reports;(ii) A list of Parties which have not submitted annual reports;(iii) A list of Parties which have submitted complete reports;(iv) A list of Parties which have submitted reports that are obviously only partially complete.(c) Assess the status of reporting, identifying the difficulties faced by Parties in fulfilling their national annual reporting obligations and their needs for assistance with respect to reporting.(d) Classify and publish Parties' compliance performance with respect to the annual national reporting obligations.(e) Develop further guidance documents on best practices in national reporting, including mechanisms for coordination among relevant governmental and other entities, procedures for the collection and exchange of information, data collection techniques and technical resources and relevant methods necessary to optimize the completion of national reports.(f) Promote and facilitate the exchange of information on best available practices and best available techniques between developed countries and developing countries, including countries with economies in transition, on development of national reporting.

Table 2: Implementation of, and compliance with, specified obligations under the Basel Convention

Objective	Activity
Ensure and improve implementation of, and compliance with, specified obligations under articles 3, 4, 5 and 6 of the Convention.	<p>(a) Review notifications transmitted by Parties to the Secretariat on national definitions of hazardous waste under Article 3 of the Convention.</p> <p>(b) Review notifications transmitted by Parties which prohibit the import of hazardous wastes or other wastes for disposal, and those which prohibit or do not permit the export of hazardous wastes and other wastes, under paragraphs 1 (a) and (b) of article 4 of the Convention.</p> <p>(c) Review Parties' compliance with the duty to designate competent authorities and focal points under article 5 of the Convention.</p> <p>(d) Compile:</p> <ul style="list-style-type: none"> (i) A list of Parties which have designated competent authorities and focal points; (ii) A list of Parties which have not designated competent authorities or focal points. <p>(e) Identify difficulties faced by Parties in designating competent authorities and focal points and their needs for assistance to meet this requirement.</p> <p>(f) Review and assess the application of the control system for the transboundary movement of wastes (notification document and movement document) and the difficulties that Parties face in implementing the system.</p> <p>(g) Review the status of existing national legislation and other legal or administrative measures, including implementation regulations, and identify needs for assistance.</p> <p>(h) Assess the compliance and implementation status of specified obligations of the Parties under articles 3, 4, 5 and 6 of the Basel Convention and publish the conclusions resulting from such assessment.</p> <p>(i) Provide general information and guidance on the Basel Convention website, or through publications, to facilitate, promote, and aim to secure the implementation of Parties' obligations under articles 3, 4, 5 and 6 of the Convention. The Secretariat may identify to the Committee those difficulties in implementation that Parties have frequently identified in their communications with the Secretariat.</p>

II. Specific submissions regarding Party implementation and compliance

5. The Committee shall give priority to dealing with specific submissions regarding Party implementation and compliance received in accordance with paragraph 9 of the terms of reference.

6. At the time of the convening of the sixth session of the Committee on 28 February 2008, the Committee had not received any specific submissions from Parties. In the light of this fact the Committee shall address existing shortcomings and limitations in relation to the lack of specific submissions to the Committee, as described in the Committee's report for the ninth meeting of the Conference of the Parties, with a view to developing recommendations for the consideration of the Conference of the Parties at its tenth meeting on appropriate actions to address those shortcomings and limitations. In undertaking this element of its work programme, the Committee may refer to the sources of information set forth in paragraph 22 of its terms of reference.