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**Committee Administering the Mechanism**

**for Promoting the Implementation and Compliance**

**of the Basel Convention**

**Twelfth meeting**

Supplementary on-line session, 5 October 2016

Report of the twelfth meeting of the Basel Convention Implementation and Compliance Committee (supplementary on-line session, 5 October 2016)[[1]](#footnote-1)

1. As referred to in document UNEP/CHW/CC.12/13 on the report of the twelfth meeting of the Basel Convention Implementation and Compliance Committee (Nairobi, 4−6 June 2016), the present addendum completes the report of the meeting with respect to the Committee’s consideration of agenda items 3 (a) (ii), (iii), (iv), (vi), (ix), (x) and (xii) and agenda item 4 (a) (iii).
2. With respect to agenda items 3 (a) (ii), (iii), (iv), (vi), (ix), (x) and (xii), annex I to the present addendum sets out the seven decisions adopted by the Committee.
3. With respect to agenda item 4 (a) (iii), the conclusions and draft decision adopted by the Committee are set out in annex II to the present addendum.
4. Following consideration of these items, the Chair declared the twelfth meeting of the Committee closed at 7 p.m. on 5 October 2016.

**Annex I**

**Agenda items 3 (a) (ii), (iii), (iv), (vi), (ix), (x) and (xii): decisions adopted by the Implementation and Compliance Committee during the supplementary on-line session of its twelfth meeting**

Decision CC-12/2/Add.1: Submission regarding Bhutan

Decision CC-12/3/Add.1: Submission regarding Cabo Verde

Decision CC-12/4/Add.1: Submission by Central African Republic

Decision CC-12/6/Add.1: Submission regarding Guinea-Bissau

Decision CC-12/9/Add.1: Submission by Oman

Decision CC-12/10/Add.1: Submission regarding Swaziland

Decision CC-12/12/Add.1: Submission regarding Turkmenistan

**CC-12/2/Add.1: Submission regarding Bhutan**

*The Committee,*

*Recalling* decision CC.12/2,

* + - 1. *Expresses* its appreciation for the cooperation of Bhutan with the Committee during the supplementary online session of its twelfth meeting;
      2. *Welcomes* the progress achieved by Bhutan in implementing the elements of its approved compliance action plan, including the transmission by Bhutan of the Revised Questionnaire on “Transmission of Information” (in accordance with Articles 13 & 16 of the Basel Convention) - National Reports for 2012, 2013 and 2014[[2]](#footnote-2)1;
      3. *Notes* with appreciation that Bhutan has provided answers to all questions and tables of part I of the questionnaire and to all but tables 6 (export), 7 (import), and 8A (generation) of part II of the questionnaire for 2014;
      4. *Welcomes* the willingness of Bhutan to complete the activities of its approved compliance action plan by 31 December 2016 and to submit its national reports for 2015 and subsequent years complete and on time;
      5. *Requests* the Secretariat to continue its communications with and support to Bhutan and to report to the Committee as appropriate;
      6. *Decides* to keep the matter relevant to the submission CHW/CC/9c/2010/1 under review.

**CC-12/3/Add.1: Submission regarding Cabo Verde**

*The Committee,*

*Recalling* decision CC-12/3,

* + - 1. *Expresses* its appreciation for the cooperation of Cabo Verde with the Committee during the supplementary online session of its twelfth meeting;
      2. *Regrets* the lack of completionof the activities of its approved compliance action plan by 31 July 2016;
      3. *Welcomes* the willingness of Cabo Verde to complete the activities of its approved compliance action plan by 31 May 2017 and to submit its national reports for 2015 and subsequent years complete and on time;
      4. *Requests* the Secretariat to communicate this decision to the Basel Convention Regional Centre for French-speaking countries in Africa;
      5. *Requests* also the Secretariat to continue its communications with and support to Cabo Verde and to report to the Committee as appropriate;
      6. *Decides* to keep the matter relevant to the submission CHW/CC/9c/2010/2 under review.

**CC-12/4/Add.1: Submission by Central African Republic**

*The Committee,*

*Recalling* decision CC-12/4,

* + - 1. *Expresses* its appreciation for the cooperation of Central African Republic with the Committee during the supplementary online session of its twelfth meeting;

1. *Welcomes* the completion by Central African Republic of the activities of its approved compliance action plan[[3]](#footnote-3);
2. *Welcomes* the willingness of Central African Republic to submit its national reports for 2015 and subsequent years complete and on time;
3. *Concludes* that the matter of concern as set out in the submission CHW/CC/9a/2014/1 has been resolved;
4. *Notes* that Central African Republic has communicated difficulties with the implementation and compliance with paragraph 4 of Article 4 of the Convention and Article paragraph 5 of Article 9 of the Convention, and *invites* Central African Republic to consider making a submission to the Committee pursuant to paragraph 9 (a) of its terms of reference;
5. *Notes* also that Central African Republic has expressed its willingness to improve the quality of its inventory of hazardous wastes and other wastes and *encourages* Central African Republic to seek if needed, financial and technical support from relevant sources, including from the UNEP special programme to support institutional strengthening at the national level for the implementation of the Basel, Rotterdam and Stockholm conventions, the Minamata Convention and the Strategic Approach to International Chemicals Management;
   * + 1. *Requests* the Secretariat to communicate this decision to the Basel Convention Regional Centre for French-speaking countries in Africa.

**CC-12/6/Add.1: Submission regarding Guinea-Bissau**

*The Committee,*

*Recalling* decision CC-12/6,

* + - 1. *Expresses* its appreciation for the cooperation of Guinea-Bissau with the Committee during the supplementary online session of its twelfth meeting;
      2. *Welcomes* the progress achieved by Guinea-Bissau in implementing the elements of its approved compliance action plan[[4]](#footnote-4);
      3. *Regrets* the lack of completionof the activities of its approved compliance action plan by 31 July 2016;
      4. *Welcomes* the willingness of Guinea-Bissau to complete the activities of its approved compliance action plan by 31 December 2016 and to submit its national reports for 2015 and subsequent years complete and on time;
      5. *Requests* the Secretariat to communicate this decision to the Basel Convention Regional Centre for French-speaking countries in Africa;
      6. *Requests* also the Secretariat to continue its communications with and support to Guinea-Bissau and to report to the Committee as appropriate;
      7. *Decides* to keep the matter relevant to the submission CHW/CC/9c/2010/4 under review.

**CC-12/9/Add.1: Submission by Oman**

*The Committee,*

*Recalling* decision CC-12/9,

* + - 1. *Expresses* its appreciation for the cooperation of Oman with the Committee during the supplementary online session of its twelfth meeting;
      2. *Welcomes* the willingness of Oman to:

1. Transmit its national reports for 2013 and 2014 by 31 December 2016;
2. Transmit by 31 January 2017 a draft assessment of Oman’s legal framework, including possible gaps to fully implement the Basel Convention and a draft report on the steps already taken to develop an inventory of hazardous and other wastes and of their outcome, and preliminary assessment of gaps towards the development of a sustainable inventory for the purpose of national reporting;
3. Transmit by 28 February 2017 a final assessment of Oman’s legal framework, including possible gaps to fully implement the Basel Convention and a final report on the steps already taken to develop an inventory of hazardous and other wastes and of their outcome, and final assessment of gaps towards the development of a sustainable inventory for the purpose of national reporting;
4. Therefore complete the activities of its approved compliance action plan by 28 February 2017; and
5. Submit its national report for 2015 complete by 31 May 2017 and national reports for subsequent years complete and on time;

3.  *Requests* the Secretariat to communicate this decision to the Basel Convention Regional Centre for Arab-speaking countries in Egypt;

4. *Requests* also the Secretariat to continue its communications with and support to Oman and to report to the Committee as appropriate;

5. *Decides* to keep the matter relevant to the submission CHW/CC/9a/2009/1 under review.

**CC-12/10/Add.1: Submission regarding Swaziland**

*The Committee,*

*Recalling* decision CC-12/10/Add.1,

* + - 1. *Expresses* its appreciation for the cooperation of Swaziland with the Committee during the supplementary online session of its twelfth meeting;

1. *Notes* thatsubject to the transmission of the draft Hazardous Waste and Other Waste Regulations, 2016, to the Ministry of Justice, Swaziland will have completed the activities of its approved compliance action plan[[5]](#footnote-5);
2. *Welcomes* the willingness of Swaziland to submit its national reports for 2015 and subsequent years complete and on time;
3. *Concludes* that the matter of concern as set out in the submission CHW/CC/9c/2010/8 has been resolved;
4. *Requests* the Secretariat to communicate this decision to the Basel Convention Regional Centre for English-speaking countries in Africa.

**CC-12/12/Add.1: Submission regarding Turkmenistan**

*The Committee*,

*Recalling* decision CC-12/12,

* + - 1. *Expresses* its appreciation for the cooperation of Turkmenistan with the Committee during the supplementary online session of its twelfth meeting;
      2. *Welcomes* the willingness of Turkmenistan to designate a competent authority and inform the Secretariat thereof by 31 December 2016;
      3. *Requests* the Secretariat to continue its communications with and support to Turkmenistan and to report to the Committee as appropriate;
      4. *Decides* to keep the matter relevant to submission CHW/CC/9c/2015/1 under review.

**Annex II**

**Agenda item 4 (a) (iii): conclusions and draft decision adopted by the Implementation and Compliance Committee during the supplementary on-line session of its twelfth meeting**

With respect to the proposed steps to improve the overall rate of reporting the Committee agreed to submit a request to the Secretariat to organize a side event during the thirteenth meeting of the Conference of the Parties with a view to improving the timeliness and completeness of national reporting, as outlined in document UNEP/CHW/12.6. The event will combine a celebration of Parties’ achievements, pledges, awareness raising, exchange of information and will also be framed within the context of the sustainable development goals and the role of national reports in measuring progress toward achieving these. The Committee encouraged the Secretariat, subject to the availability of resources, to consider initiating consultations with Parties that have not submitted a report since 2009 so as to determine whether they are facing possible difficulties in complying with the national reporting obligation and with a view to resolving the matter within three months by consultation with the party concerned. The Committee recommended that the Secretariat, when preparing its technical assistance programme for 2018-2019 for the consideration of the thirteenth meeting of the Conference of the Parties, include a combination of webinars on how to complete the reporting questionnaire and subregional workshops aimed at improving national reporting which would also tackle the linkages with having in place adequate national legal frameworks and the development of inventories. These workshops could provide an opportunity for one-on-one training to each Party to ensure that reports are submitted complete as far as possible.

The Committee also agreed to recommend that the Conference of the Parties adopt a decision whereby it:

(a) *Decides* to prioritize efforts and ongoing activities to increase timeliness and completeness of national reporting, and *calls on* Parties to strengthen their efforts in this regard;

(b) *Decides* to amend paragraph 20 of the terms of reference of the Committee as follows:

“20.       If, after undertaking the facilitation procedure in paragraph 19 above and taking into account the cause, type, degree and frequency of compliance difficulties, as well as the capacity of the Party whose compliance is in question, the Committee considers it necessary in the light of paragraphs 1 and 2 to pursue further measures to address a Party’s compliance difficulties, it may recommend to the Conference of the Parties that it consider:

…

(c) Deciding on additional measures as a last resort in case a Party has not submitted its national report for two or more years since the report due for 2016.”

(c) *Expresses its appreciation* to the Committee for its work over the years to improve the timeless and completeness of national reporting and *decides* that the work programme of the Committee should continue to emphasize activities aimed at improving implementation and compliance with the national reporting obligation.

3. Concluding its consideration of the proposed steps to improve the timeliness and completeness of reporting, the Committee requested the Secretariat to bring to the attention of the small intersessional working group on national reporting mandated to develop an electronic user manual for the revised reporting format, the difficulties faced by Parties in fully completing the questionnaire along with a recommendation for that group to take this information into account when drafting the manual.

4. The Committee expressed its appreciation to the Secretariat for its efforts to provide one-on-one support to Parties when completing the reporting questionnaire and agreed on the value of access to additional resources to undertake the quality control of reports received and to follow up with Parties.

5. Finally, the Committee saw value in complementing the development of the electronic user manual for the revised reporting format with some electronic features of the online questionnaire that would not only alert Parties to the fact that a question was not completed but offer, in an interactive manner, possible answers to choose from. Here again, the Committee encouraged the Secretariat to seek resources from donors to develop such features.

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1. This document has not been formally edited. [↑](#footnote-ref-1)
2. 1 UNEP/CHW/CC.12/INF/2/Rev.1 [↑](#footnote-ref-2)
3. UNEP/CHW/CC.12/INF/4/Rev.1. [↑](#footnote-ref-3)
4. UNEP/CHW/CC.12/INF/6/Rev.1. [↑](#footnote-ref-4)
5. UNEP/CHW/CC.12/INF/7/Rev.1. [↑](#footnote-ref-5)