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**Committee Administering the Mechanism
for Promoting Implementation and Compliance
Twelfth meeting
Nairobi, 4–6 June 2016
Item 4 (a) (i) of the provisional agenda***

**Review of general issues of compliance and
implementation under the Convention:
national reporting: individual compliance performance**

National reporting: individual compliance performance¹

Note by the Secretariat

I. Introduction

1. By its decision BC-12/7, the Conference of the Parties at its twelfth meeting adopted the work programme for the biennium 2016–2017 of the Committee administering the mechanism for promoting implementation and compliance, annexed to that decision, whereby it mandated the Committee, among other things, to improve timely and complete national reporting under paragraph 3 of Article 13 of the Convention including by classifying and, as appropriate, publishing parties' individual compliance performance with regard to their annual national reporting obligations for 2013, 2014 and 2015 as available based on the criteria and categories adopted by the Conference of the Parties at its tenth meeting² and using the targets set by the Conference of the Parties at its twelfth meeting, namely that 30 per cent of reports due for 2013 and for subsequent years are submitted on time and 20 per cent of reports due for 2013 and for subsequent years are submitted complete.

II. Implementation

2. Committee member Ms. Fionna Cumming (New Zealand) took the lead on this activity of the work programme of the Committee. Initiation of the activity was discussed during the Committee's 16 September 2015 informal consultations. During their 2 December 2015 informal consultations, Committee members considered a first draft classification of compliance with the 2013 national reporting obligation. The members requested the Secretariat to prepare a second draft with graphs reflecting trends and progress achieved over the years, and to share with the small intersessional working group on national reporting the information on parties' difficulties with completing their report, so as to enable that group to take it into account when drafting the electronic user manual for the revised format for national reporting.

3. A revised draft classification was prepared for the Committee's 3 March 2016 informal consultations, including graphs illustrating the overall rate of reporting between 2009 and 2013 as well as the evolution of the timeliness and completeness of reporting since 2010. Ms. Cumming introduced

* UNEP/CHW/CC.12/1.

¹ This document has not been formally edited.

² Decision BC-10/11, paragraph 18, which refers to paragraph 26 of document UNEP/CHW.10/9/Rev.1.

the graphs, highlighting that these showed progress over time with respect to the completeness of reports and also a progress trend over time with respect to timeliness. She said one possible explanation for the lower rate of timeliness in 2012 might be due to the introduction of the electronic reporting system. The members welcomed the revised classification including the graphs and requested the Secretariat to include footnotes explaining the rationale for the choice of the years 2009–2013 and 2010–2013 for the graphs. The members also requested the Secretariat to prepare a meeting document for the consideration of the Committee at its twelfth meeting using the information set out in the revised draft classification, and to also use that information as one of the basis for preparing, for consideration by the Committee at its twelfth meeting, the plan recommending actions, incentives and other measures to improve the timeliness and completeness of national reporting. The members renewed their request for the Secretariat to share the classification with the small intersessional working group on national reporting and welcomed the willingness of Ms. Cummin to participate in that group.

4. During consultations planned to be held in April 2016, the Secretariat informed the small intersessional working group on national reporting mandated to develop the electronic user manual for the revised format for national reporting that, based on the draft classification prepared for the consideration of the Committee at its twelfth meeting, parties appeared to have most difficulties with completing tables 1, 9 and 10 of the current reporting format, which correspond to tables 1, 7 and 8 of the revised format for national reporting. The Secretariat also noted that although the classification had shown that parties had most difficulties with table 8A on waste generation, the revised format for national reporting did not provide for mandatory reporting on this matter.

5. The annexes to the present note set out the classification of parties' compliance performance with respect to the annual reporting obligation for 2013, based on the 78 reports received as of 5 February 2016. The information provided in the classification includes 6 annexes, as follows:

(a) Annex I sets out three graphs providing an overview of the overall rate of reporting between 2009 and 2013, the reporting rates for completeness between 2010 and 2013, and the reporting rates for timeliness between 2010 and 2013;

(b) Annex II sets out the classification of parties' compliance performance with respect to the annual reporting obligation based on regional grouping;

(c) Annex III sets out a classification of parties' compliance performance with respect to the annual reporting obligation based on regional grouping with information on the completeness of Parts I and II of the questionnaire;

(d) Annex IV sets out an overview of reporting rates and timeliness of reporting based on regional grouping;

(e) Annex V sets out the classification of parties' compliance performance with respect to the annual reporting obligation with a breakdown on a party basis;

(f) Annex VI presents, for each question and subquestion of the national reporting questionnaire, the number of incomplete responses received.

6. As mandated by the Conference of the Parties, the Secretariat undertook the classification on the basis of the following assumptions:

(a) The information was used as reported by parties, without prejudice to the Secretariat's quality control;

(b) The completeness of national reports is reviewed on the basis of the answers provided by parties to all questions and sub-questions of the revised questionnaire on transmission of information (in accordance with Articles 13 and 16 of the Convention), with the exception of table 8B that is not mandatory;³

³ In addition to table 8B, the Secretariat considered that given the formulation of question 7 "Please provide information (eg, activities, effects, period covered and the sources of data/information) on any available statistics, studies, monitoring reports etc. which have been compiled on the effects of generation, transportation and disposal of hazardous wastes and other wastes on human health and the environment or alternatively provide contact information on where this could be found:", a lack of response to that question was not considered as an incomplete answer.

(c) Should a report contain answers that do not provide the information sought (such as “estimated data”, “in preparation”, “no data available” or “no information”), the party will not be considered to have fully reported.⁴

7. The Secretariat undertook the classification exercise using in-house resources. The Secretariat would like to bring the following elements to the attention of the Committee:

(a) The Secretariat had to carry out the classification exercise manually by looking at the responses provided by each party to each question, sub-question and individual elements of each table of the reporting questionnaire. This is mainly because of two reasons: 1) the current national reporting database of the Secretariat does not offer the possibility of queries related to the criteria adopted by the Conference of the Parties (“complete/incomplete”, “on time/late”); and 2) given the current format of the questionnaire, whether a response is “complete” may require that its content be understood;

(b) In some instances, the Secretariat double-checked answers provided in reports for previous years to determine whether an answer to a specific question could be considered “complete”. This is because parties usually use a pre-filled questionnaire where they indicate which responses have been updated since the last time they have reported. It does happen that the latest report specifies that a response was “not updated”, while at the same time no answer is given to the question. In that case, the information reported for a previous year was taken into account and the response considered “complete”;

(c) Any manual process is error-prone and for this exercise, one staff member reviewed 78 reports and the Secretariat did not have the capacity to undertake a second full review to cross-check all the classification items individually;

(d) The Secretariat did not review the content of individual responses, except when this was needed to implement the assumptions mentioned above in paragraph 6. For instance, if a Party responded to question 2 (c) that it has a national definition of hazardous wastes under article 1.1 (b), then the Secretariat has considered answers to table 8A on the amount of generation of hazardous wastes and other wastes as “complete” only when information on the three values sought (article 1.1 (a) wastes, article 1.1 (b) wastes and other wastes) was provided;

(e) The Secretariat has considered that answers to some questions/tables were “complete” when a party stated that the sought information could be found on a specific website or with the Focal Point of the Convention. But the Secretariat did not double-check if the sought content was really available on the specified website;

(f) The Secretariat classified parties, per region/group, according to the UNEP classification used by the UNEP-GRID.

III. Proposed action

8. The Committee is invited to consider the information contained in the present note, including its annexes. The Committee may wish to request the Secretariat to:

(a) Publish on the Convention’s website the classification of parties’ compliance performance with the national reporting obligation for 2013 set out in the annexes to this note;

(b) Make the information available to parties through a communication with an invitation to comment on the classification by 31 August 2016 and an invitation for parties that did not yet do so to transmit their national report for 2013 by that same date;

(c) Prepare a revised classification taking into account comments as well as reports received by 31 August 2016.

9. The Committee may wish to recommend that the Conference of the Parties at its thirteenth meeting adopt a decision whereby it:

⁴ With respect to c) it must be noted that in cases where the questionnaire specifies that a possible answer to the question is “in preparation”, for instance in many of the questions set out in Part I of the questionnaire, a party choosing that option was considered as having submitted a complete answer. On the other hand, in cases where the questionnaire seeks specific information such as data on imports or generated wastes, the answer “in preparation” was not considered as a complete answer as this answer does not provide the information sought.

(a) Welcomes a slight improvement in the completeness of national reports since 2010 and a positive trend towards an improvement of the timeliness of national reports since 2010;

(b) Notes with concern that the targets for the year 2013 approved by the Conference of the Parties at its twelfth meeting with respect to the timeliness and completeness of national reports have not been met, with [] per cent of reports submitted in time for a target of 30 per cent, and with [] per cent of reports submitted complete for a target of 20 per cent;

(c) Notes also with concern that, as of 31 August 2016, [] parties have not submitted their report for the year 2013;

(d) Notes further with concern that the overall rate of submission of national reports since 2009 does not appear to have improved;

(e) Acknowledges that the problem of non-reporting, incomplete reporting or late reporting is all the more serious because of the close link between the core obligations of the Convention and the obligation to submit national reports in accordance with paragraph 3 of Article 13 of the Convention;

(f) Agrees, as a way of measuring progress in the overall implementation of and compliance with paragraph 3 of Article 13 of the Convention, on the following interim targets: 30 per cent⁵ of reports due for 2014 and for subsequent years are submitted in time; and 20 per cent⁶ of reports due for 2014 and for subsequent years are submitted complete;

(g) Includes in the proposed work programme of the Committee for 2018–2019 the following activity: classify and, as appropriate, publish parties' individual compliance performance with regard to their annual national reporting obligations for 2014 and 2015, based on the assumptions and elements set out in the report of the Committee to the Conference of the Parties at its thirteenth meeting, based on the criteria and categories adopted by the Conference of the Parties at its tenth meeting,⁷ and using the targets approved by the Conference of the Parties at its thirteenth meeting;

(h) Confirms the mandate given to the Committee in paragraph 14 of its decision BC-12/7 with respect to the classification of compliance performance with national reporting for 2016 and for subsequent years.

⁵ Baseline: 15 per cent for the reports due for 2010.

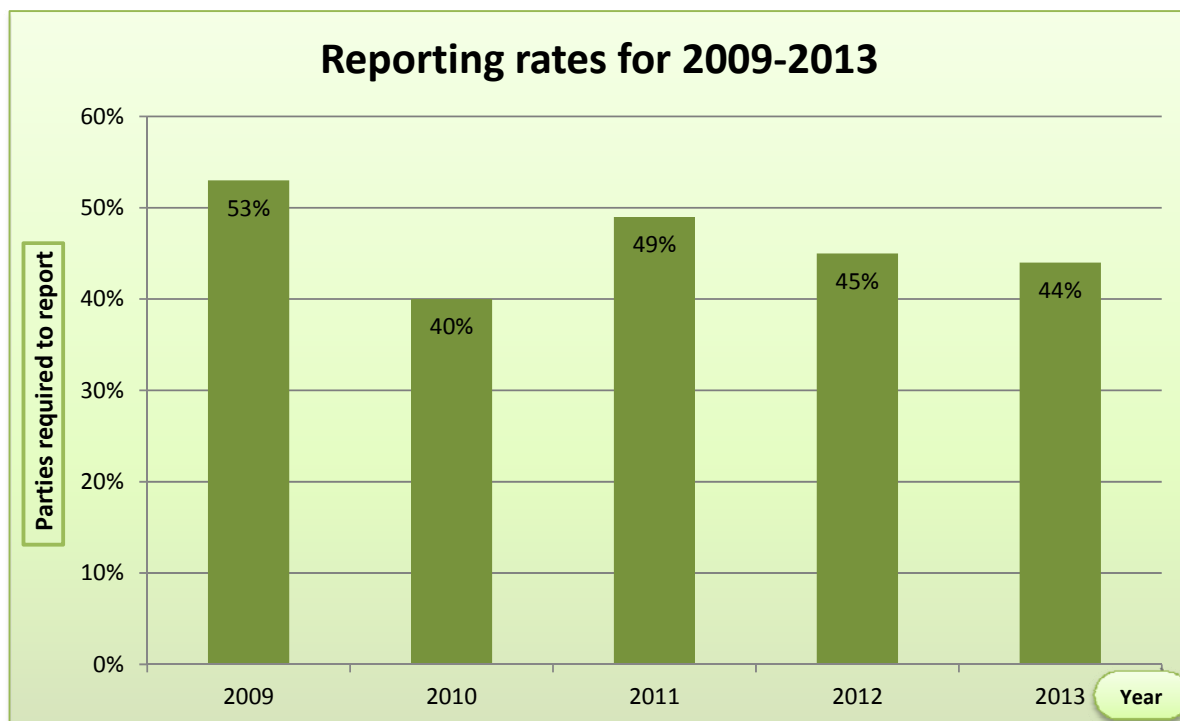
⁶ Baseline: 0.6 per cent for the reports due for 2010.

⁷ Decision BC-10/11, para. 18, that refers to para. 26 of document UNEP/CHW.10/9/Rev.1.

Annex I

Graphics on reporting rates¹

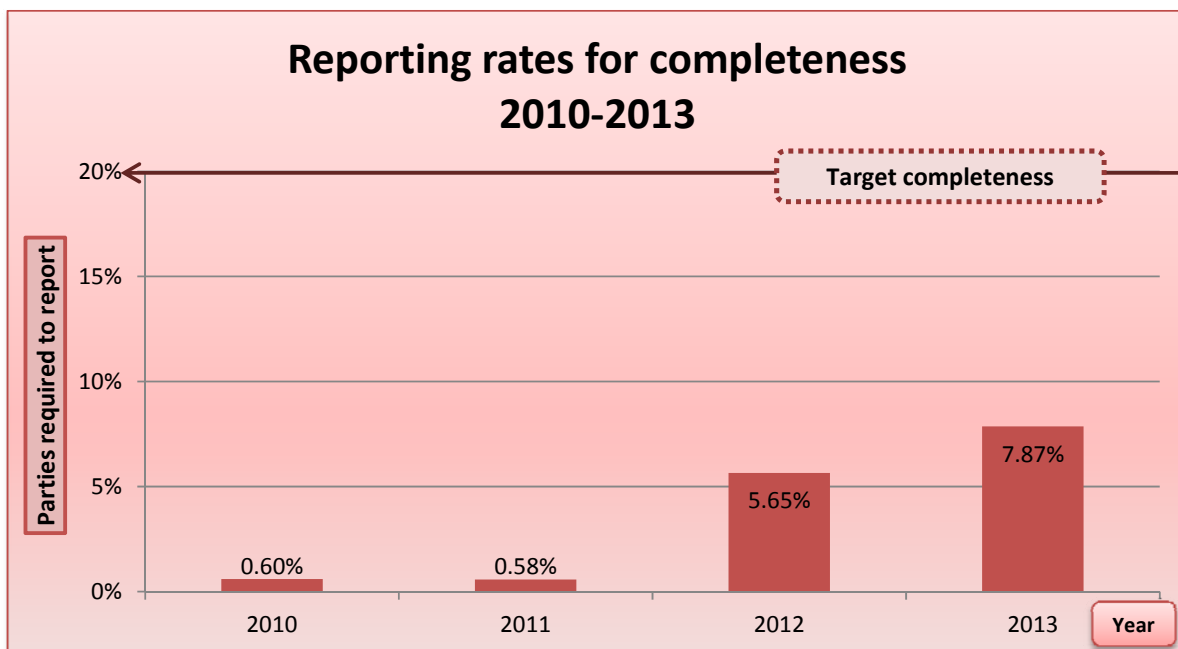
1. Overall reporting rates for the years 2009-2013²



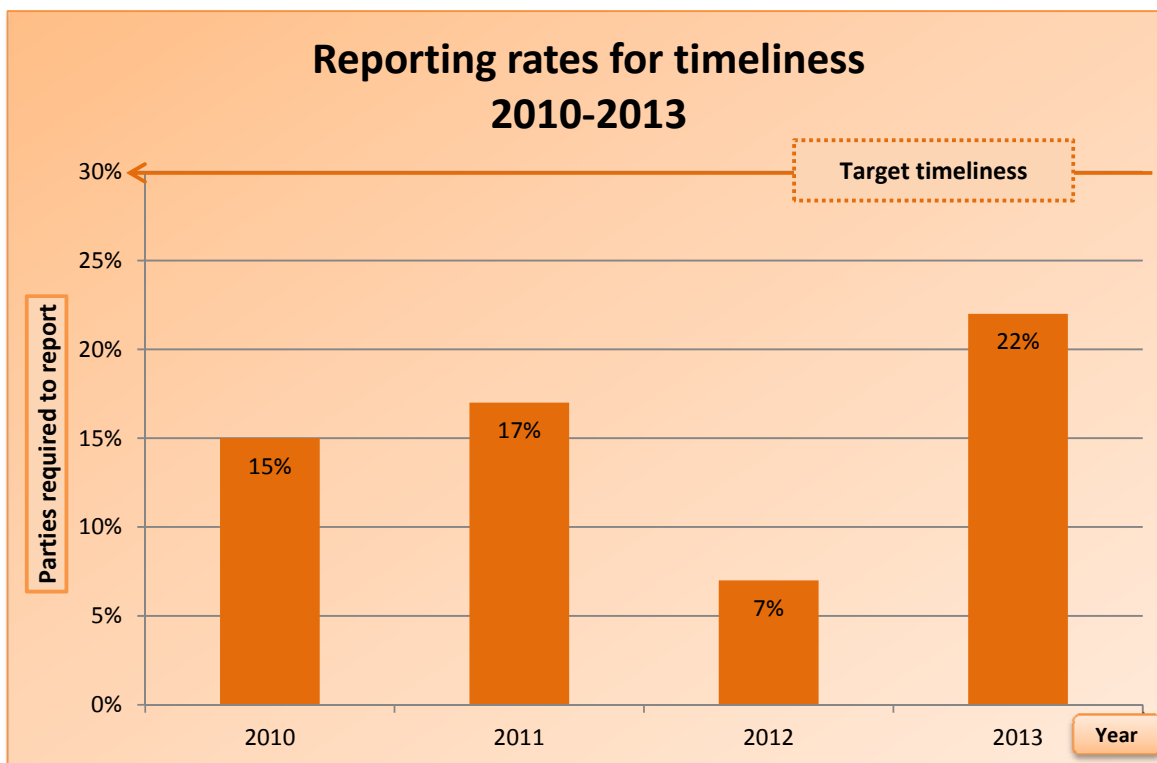
¹ The information presented was collected at the time the respective classifications were undertaken.

² By decision BC-10/11, the Conference of the Parties for the first time requested the Committee to classify parties compliance performance with national reporting, starting with the year 2009. This mandate was then extended by decisions BC-11/8 and BC-12/7.

2. Reporting rates for completeness (2010-2013)³



3. Reporting rates for timeliness (2010-2013)⁴



³ In its decisions BC-11/8 and BC-12/7, the Conference of the Parties set reporting targets for timelessness of national reports, starting with the year 2010. The target was and still is: 20 per cent of reports due are submitted complete.

⁴ In its decisions BC-11/8 and BC-12/7, the Conference of the Parties set reporting targets for timelessness of national reports, starting with the year 2010. The target was and still is: 30 per cent of reports due are submitted on time.

Annex II**Classification of parties' compliance performance with respect to the annual reporting obligation for the year 2013 – regional grouping**

Year 2013 (as of 5 February 2016)

	Number of State parties per region	Not required to report for 2013	Number of parties required to report for 2013	Fully reported on time	Fully reported but late	Reporting incomplete but on time	Reporting incomplete and late	Not reported
Africa	51	1	50	1	1	9	4	35
Asia	51	3	48	1	1	6	8	32
Eastern Europe	22	0	22	3	0	5	7	7
Latin America and the Caribbean	31	0	31	1	1	5	5	19
Western Europe and others	27	0	27	3	2	6	9	7
All Parties (sum of above)	182	4 ¹	178	9	5	31	33	100

¹ The Secretariat did not include in the tables 4 parties, which did not have the obligation to report for the year 2013. The parties are: Afghanistan, Myanmar, Palestine and Sao Tome and Principe.

Annex III

Classification of Parties' compliance performance with respect to the annual reporting obligation for the year 2013– regional grouping: completeness of Parts I and II of the questionnaire (as of 5 February 2016)

	Number of parties required to report for 2013	Number of parties that did not report	Number of parties that reported (complete and incomplete)	Completeness of Parts I and II
Africa	50	35	15	Both parts complete: 2
				Part I only complete: 3
				Part II only complete: 0
				Both parts incomplete: 10
Asia	48	32	16	Both parts complete: 2
				Part I only complete: 8
				Part II only complete: 0
				Both parts incomplete: 6
Eastern Europe	22	7	15	Both parts complete: 3
				Part I only complete: 8
				Part II only complete: 0
				Both parts incomplete: 4
Latin America and the Caribbean	31	19	12	Both parts complete: 2
				Part I only complete: 8
				Part II only complete: 0
				Both parts incomplete: 2
Western Europe and others	27	7	20	Both parts complete: 5
				Part I only complete: 12
				Part II only complete: 0
				Both parts incomplete: 3
Totals:	178	100	78	

Annex IV

**Overview of reporting rates and timeliness of reporting for the year
2013 – Regional grouping (as of 5 February 2016)**

Reporting year	Item	Total	Africa	Asia and Pacific	CEE	LAC	WEOG
2013	Number of Parties required to report	178	50	48	22	31	27
	Number of reports submitted	78	15	16	15	12	20
	Percentage of Parties reporting	44%	30%	33%	68%	39%	74%
	Number of reports submitted on time	40	10	7	8	6	9
	Percentage of reports that were submitted on time	51%	67%	44%	53%	50%	45%
	Percentage of Parties required to report that submitted reports on time	22%	20%	15%	36%	19%	33%

Annex V

Classification of Parties' compliance performance with respect to the annual reporting obligation for the year 2013 (as of 5 February 2016) - Breakdown on a Party basis

Africa Region

	Party	Fully reported and on time	Fully reported, but late	Incomplete, but on time		Incomplete and late		Not reported
				PART I incomplete	PART II incomplete	PART I incomplete	PART II incomplete	
1	Algeria			X	X			
2	Benin							X
3	Botswana							X
4	Burkina Faso							X
5	Burundi							X
6	Cameroon							X
7	Cabo Verde			X	X			
8	Central African Republic							X
9	Chad							X
10	Comoros							X
11	Congo (Republic of the)			X	X			
12	Cote d'Ivoire				X			
13	Democratic Republic of Congo							X
14	Djibouti							X
15	Egypt							X
16	Equatorial Guinea							X
17	Eritrea				X			
18	Ethiopia							X
19	Gabon							X
20	Gambia							X
21	Ghana							X
22	Guinea							X
23	Guinea-Bissau						X	
24	Kenya							X
25	Lesotho							X
26	Liberia							X
27	Libyan Arab Jamahiriya							X
28	Madagascar				X			
29	Malawi							X
30	Mali							X
31	Mauritania							X
32	Mauritius							X
33	Morocco						X	
34	Mozambique			X	X			
35	Namibia							X
36	Niger							X
37	Nigeria			X	X			
38	Rwanda				X			
39	Senegal							X

	Party	Fully reported and on time	Fully reported, but late	Incomplete, but on time		Incomplete and late		Not reported
				PART I incomplete	PART II incomplete	PART I incomplete	PART II incomplete	
40	Seychelles							X
41	Somalia							X
42	South Africa	X						
43	Sudan							X
44	Swaziland						X	
45	Togo		X					
46	Tunisia					X	X	
47	Uganda							X
48	United Republic of Tanzania							X
49	Zambia							X
50	Zimbabwe							X
	Totals for Africa	1	1	5	9	1	4	35

Asia Region

	Party	Fully reported and on time	Fully reported, but late	Incomplete, but on time		Incomplete and late		Not reported
				PART I incomplete	PART II incomplete	PART I incomplete	PART II incomplete	
1	Azerbaijan						X	
2	Bahrain	X						
3	Bangladesh							X
4	Bhutan							X
5	Brunei Darussalam							X
6	Cambodia							X
7	China					X	X	
8	Cook Islands							X
9	Cyprus		X					
10	Democratic People's Republic of Korea							X
11	India							X
12	Indonesia							X
13	Iran (Islamic Republic of)						X	
14	Iraq						X	
15	Japan							X
16	Jordan							X
17	Kazakhstan							X
18	Kiribati							X
19	Kuwait							X
20	Kyrgyzstan						X	
21	Lao People's Democratic Republic							X
22	Lebanon							X
23	Malaysia					X	X	
24	Maldives							X
25	Marshall Islands							X
26	Micronesia (Federated States of)							X
27	Mongolia							X
28	Nauru							X
29	Nepal							X
30	Oman							X
31	Palau					X	X	
32	Pakistan							X
33	Papua New Guinea							X
34	Philippines				X			
35	Qatar						X	
36	Republic of Korea							X
37	Samoa							X
38	Saudi Arabia							X
39	Singapore			X	X			
40	Sri Lanka							X
41	Syrian Arab Republic							X
42	Thailand				X			
43	Tonga							X
44	Turkmenistan							X
45	United Arab Emirates			X	X			
46	Uzbekistan			X	X			
47	Viet Nam							X

Party	Fully reported and on time	Fully reported, but late	Incomplete, but on time		Incomplete and late		Not reported
			PART I incomplete	PART II incomplete	PART I incomplete	PART II incomplete	
48 Yemen				X			
Totals for Asia	1	1	3	6	3	8	32

Eastern Europe Region

	Party	Fully reported and on time	Fully reported, but late	Incomplete, but on time		Incomplete and late		Note reported
				PART I incomplete	PART II incomplete	PART I incomplete	PART II incomplete	
1	Albania							X
2	Armenia							X
3	Belarus							X
4	Bosnia and Herzegovina				X			
5	Bulgaria						X	
6	Croatia					X	X	
7	Czech Republic						X	
8	Estonia				X			
9	Georgia						X	
10	Hungary	X						
11	Latvia						X	
12	Lithuania	X						
13	Montenegro				X			
14	Poland	X						
15	Republic of Moldova							X
16	Romania							X
17	Russian Federation							X
18	Serbia						X	
19	Slovakia			X	X			
20	Slovenia					X	X	
21	The Former Yugoslav Republic of Macedonia							X
22	Ukraine			X	X			
	Totals for Eastern Europe	3	0	2	5	2	7	7

GRULAC

	Party	Fully reported and on time	Fully reported, but late	Incomplete, but on time		Incomplete and late		Not reported
				PART I incomplete	PART II incomplete	PART I incomplete	PART II incomplete	
1	Antigua and Barbuda							X
2	Argentina	X						
3	Bahamas							X
4	Barbados						X	
5	Belize							X
6	Bolivia							X
7	Brazil							X
8	Chile							X
9	Colombia				X			
10	Costa Rica			X	X			
11	Cuba							X
12	Dominica							X
13	Dominican Republic				X			
14	Ecuador							X
15	El Salvador							X
16	Guatemala				X			
17	Guyana						X	
18	Honduras							X
19	Jamaica							X
20	Mexico				X			
21	Nicaragua						X	
22	Panama							X
23	Paraguay							X
24	Peru		X					
25	Saint Kitts and Nevis							X
26	Saint Lucia						X	
27	Saint Vincent and the Grenadines							X
28	Suriname							X
29	Trinidad and Tobago							X
30	Uruguay					X	X	
31	Venezuela							X
	Totals for Latin America and the Caribbean	1	1	1	5	1	5	19

WEOG

	Party	Fully reported and on time	Fully reported, but late	Incomplete, but on time		Incomplete and late		Not reported
				PART I incomplete	PART II incomplete	PART I incomplete	PART II incomplete	
1	Andorra			X	X			
2	Australia	X						
3	Austria				X			
4	Belgium					X	X	
5	Canada				X			
6	Denmark						X	
7	Finland	X						
8	France						X	
9	Germany						X	
10	Greece						X	
11	Iceland							X
12	Ireland		X					
13	Israel							X
14	Italy				X			
15	Liechtenstein							X
16	Luxembourg							X
17	Malta		X					
18	Monaco							X
19	Netherlands						X	
20	New Zealand			X	X			
21	Norway				X			
22	Portugal	X						
23	Spain						X	
24	Sweden						X	
25	Switzerland							X
26	Turkey							X
27	United Kingdom of Great Britain and Northern Ireland						X	
	Totals for Western Europe and others	3	2	2	6	1	9	7

Annex VI

**Overview of completeness of answers to each question and
subquestion of the national report for the year 2013
(as of 5 February 2016)**

Item in the questionnaire	Subject sought	Number of incomplete responses (out of 78)
Part I: Status of Information		
1a	Competent authority	0
1b	Focal point	0
2a	National definition of waste	0
2b	National definition of hazardous waste	0
2c	Regulate/control any additional hazardous wastes	0
2d	Any wastes that require special consideration for TBM	1
2e	Source or basis of definition	1
2f	National definition of hazardous waste cover wastes other than listed in Annexes I, II and VIII	1
2g(i)	Specify any requirements (procedures) concerning transboundary movements	5
2g(ii)	Any waste other than those identified above that require special consideration	1
3a	Amendment to the Basel Convention (Decision III/1) being implemented	0
3b	Restrictions on the export of hazardous wastes and other wastes for final disposal	0
3b(i)	Relevant legislation	0
3b(ii)	Country/region and/or waste which could be covered by the restriction	2
3c	Restrictions on the export of hazardous wastes and other wastes for recovery	0
3c(i)	Relevant legislation	0
3c(ii)	Country/region and/or waste which could be covered by the restriction	1
3d	Restrictions on the import of hazardous wastes and other wastes for disposal	0
3d(i)	Relevant legislation	0
3d(ii)	Country/region and/or waste which could be covered by the restriction	1
3e	Restrictions on the import of hazardous wastes and other wastes for recovery	0
3e(i)	Relevant legislation	0
3e(ii)	Country/region and/or waste which could be covered by the restriction	1
3f	Restrictions on transit of hazardous wastes and other wastes for recovery	0
3f(i)	Relevant legislation	0
3f(ii)	Country/region and/or waste which could be covered by the restriction	2
4a	Notification and Movement document forms of used and/or accepted	0
4a(i)	Problems in the usage of the Notification and Movement document forms	0
4a(ii)	Information on any other forms which are used and/or accepted	3
4b	Languages accepted to receive Notification and Movement document forms	0
4c	Additional information requirements in addition to those listed under Annex V (A and B) of the Basel Convention	0
4d	Border control for export/import/transit established	0
4d(i)	Harmonized system on customs control of the WCO used	0
5	Measures taken for the reduction and/or elimination of the amount of hazardous wastes and other wastes generated	0
5(i)	National strategies/policies	0
5(ii)	Legislation, regulations and guidelines	0
5(iii)	Economic instruments/initiatives	1
5(iv)	Measures taken by industries/waste generators	2
6	Measures taken for the reduction of the amount of hazardous wastes and other wastes subject to the transboundary movement	0
6(i)	National strategies/policies	0
6(ii)	Legislation, regulations and guidelines	1
6(iii)	Economic instruments/initiatives	1
6(iv)	Measures taken by industries/waste generators	3
7	Effect on human health and the environment: Available statistics, studies, monitoring reports, etc or alternatively provide contact information	0

Table 1	Bilateral, multilateral or regional agreements	6
Table 2	Disposal facilities or sources of information	1
Table 3	Recovery facilities or sources of information	3
Table 4	Sources of technical assistance	0
Table 5	Sources of financial assistance	9

Part II: Annual Reporting		
Table 6	Export of hazardous wastes and other wastes in the specific year	9
Table 7	Import of hazardous wastes and other wastes in the specific year	13
Table 8A	Total Amount of Generation of hazardous wastes and other wastes in 2011 <ul style="list-style-type: none"> - Total amount under Art. 1(1)a - Total amount under Art. 1(a)b - Total amount of other wastes (Annex II: Y46-Y47) 	50
Table 8B not mandatory	Generation of hazardous wastes and other wastes by Y-categories in the specific year	34
Table 9	Disposals which did not proceed as intended	26
Table 10	Accidents occurring during the transboundary movement and disposal of hazardous wastes and other wastes	28