



Distr.: General

19 July 2018

English only

---

**Committee Administering the Mechanism  
for Promoting Implementation and Compliance  
Thirteenth meeting**

Geneva, 7–10 September 2018

Item 4 (a) of the provisional agenda\*

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

## National reporting<sup>1</sup>

### Note by the Secretariat

#### I. Introduction

1. By its decision BC-13/9, the Conference of the Parties at its thirteenth meeting adopted the work programme for the biennium 2018–2019 of the Committee, attached to that decision, whereby it mandated the Committee, among other things, to undertake several activities with a view to improving timely and complete national reporting under paragraph 3 of Article 13 of the Convention, as follows:

(a) Classify and, as appropriate, publish information on Parties' compliance with their annual national reporting obligations for 2014 and 2015, based on the assumptions, criteria, categories and targets adopted by the Conference of the Parties at its thirteenth meeting;<sup>2</sup>

(b) Develop recommendations on the revision of targets referred to in paragraph 11 of decision BC-13/9 for the reports due for 2016 and subsequent years;

(c) Develop an updated version of the benchmark report aimed at facilitating reporting under paragraph 3 of Article 13 of the Basel Convention as of the reporting year 2016, based on the revised reporting format for national reporting adopted in decision BC-12/6 as amended by decision BC-13/9;

(d) Finalize the revised version of the Committee's guidance on improving national reporting<sup>3</sup> in the light of the revised reporting format adopted in decision BC-12/6 as amended by decision BC-13/9 for consideration and possible adoption by the Conference of the Parties at its fourteenth meeting;

(e) On the basis of, inter alia, the information contained in the national reports and possible means of technical assistance, develop recommendations for improving the timeliness and completeness of national reporting under paragraph 3 of Article 13 of the Basel Convention.

---

\* UNEP/CHW/CC.13/1.

<sup>1</sup> This document has not been formally edited.

<sup>2</sup> Decision BC-13/9.

<sup>3</sup> UNEP/CHW.13/INF/59.

## II. Implementation

2. Committee members Ali Al-Ghamdi (Saudi Arabia), Juan Simonelli (Argentina) and Tampushi Leonard (Kenya) took the lead on these activities of the work programme of the Committee. Progress with the various activities was introduced by the Secretariat during the Committee's informal consultations held on 21 November 2017 and 17 April 2018.

### A. Classification of compliance performance

3. During their 21 November 2017 consultations, Committee members reviewed a draft classification of Parties' compliance performance with their national reporting obligation for reporting for 2014 prepared by the Secretariat. On the way forward, they requested the Secretariat to: transmit the draft classification for 2014 to individual Parties with an invitation to comment thereon; and to prepare a revised draft in time for the next consultations taking into account any feedback received. The members also requested the Secretariat to initiate a draft classification for 2015 for consideration during the next consultations.

4. During their 17 April 2018 consultations, Committee members reviewed a revised draft classification of Parties' compliance performance with their national reporting obligation for reporting for 2014 as well as a draft classification of Parties' compliance performance with their national reporting obligation for reporting for 2015, prepared by the Secretariat. Following review of the former, members requested the Secretariat to make it available to the Committee for consideration during its thirteenth meeting. Following review of the latter, members requested the Secretariat to make the draft classification available to Parties for comment with an invitation to comment thereon; and to prepare a revised draft taking into account any feedback received for consideration by the Committee during its thirteenth meeting.

5. The draft classifications of Parties' compliance performance with their national reporting obligation for reporting for 2014 and 2015 are set out in the annexes to document UNEP/CHW/CC.13/4/Add.1. Based on the classification, the following conclusions can be drawn:

(a) 2014: 8 percent of the Parties transmitted a report complete and on time, against a target of 10 percent; 14 percent of the Parties transmitted a report complete whether on time or late, against a target of 20 percent;

(b) 2015: 6 percent of the Parties transmitted a report complete and on time, against a target of 10 percent; 18 percent of the Parties transmitted a report complete whether on time or late, against a target of 20 percent.

### B. Targets

6. In paragraph 11 of decision BC-13/9, the Conference of the Parties set the following interim targets for reports due for 2014 and 2015: 10 percent of reports due for 2014 and 2015 are complete and submitted on time and 20 percent of reports due for 2014 and 2015 are complete as submitted but late.

7. During their 17 April 2018 consultations, Committee members requested the Secretariat to undertake a preliminary assessment of the timeliness and completeness of the 2016 reports that would support the development by the Committee of recommendations on targets to be used to classify compliance performance with the revised reporting format.

8. Pursuant to paragraph 3 of Article 13 of the Convention, 180 Parties had the obligation to transmit to the Secretariat by 31 December 2017 their national report for 2016. As at 31 December 2017, 90 Parties, or 50 percent of Parties, transmitted their national report. 67 Parties, or 37 percent of Parties, transmitted their report on time.

9. In undertaking a preliminary assessment of the completeness of the reports received using the revised reporting format, the Secretariat took into consideration the information set out in appendix V of the draft classifications of compliance performance with the national reporting obligations for 2014 and 2015, namely the overview of completeness of answers to each question and table of the national report. More specifically, the Secretariat compared the completeness of reporting between the responses provided in 2014 or 2015 and in 2016 to the questions and tables included as mandatory in both reporting formats and for which the rate of incompleteness has been greatest in 2014 and 2015: table 9 (previous reporting format) or 7 (revised reporting format) on disposals which did not proceed as intended, and table 10 (previous reporting format) or 8 (revised reporting format) on accidents occurring during the transboundary movement and disposal of hazardous wastes and other wastes. The Secretariat also took into account that the completion of the table which was the most challenging for

Parties to complete, namely table 8A on waste generation with which more than half of the reporting Parties have been facing difficulties, is optional under the revised reporting format.

10. Based on this preliminary assessment, it appears that 88 of the Parties that reported or 49 percent of all Parties, respectively 87 of the Parties that reported or 48 percent of all Parties, have transmitted complete responses to tables 7 and 8 of the revised reporting format. Taking into account the change regarding the optional nature of the provision of data on waste generation and other improvements brought to the reporting format as of 2016, and the fact that 37 percent of Parties transmitted their report on time, it is likely that 10 percent of reports due for 2016 would be deemed complete and transmitted on time, and it is likely that 20 percent of reports due for 2016 would be deemed transmitted complete, whether on time or late. However only a classification of compliance performance undertaken by the Committee under its 2020-2021 work programme would provide a more accurate picture of the matter and could serve as a basis for the Committee to recommend, for years subsequent to 2016, revised targets.

### **C. Benchmark report**

11. During their 17 April 2018 consultations, Committee members noted that 80 reports for 2016 had been transmitted to the Secretariat. Members requested the Secretariat to retain a consultant to develop a first draft of a benchmark report, taking into account these reports, for the consideration of the Committee at its thirteenth meeting.

12. A draft benchmark report is set out in the annex to document UNEP/CHW/CC.13/4/Add.2.

### **D. Revised guidance on improving national reporting**

13. Members of the Committee considered progress towards the finalization of the revised version of the Committee's guidance on improving national reporting<sup>4</sup> in the light of the revised reporting format during their 21 November 2017 and 17 April 2018 consultations.

14. Pursuant to the invitation set out in decision BC-13/9 for Parties to submit comments by 30 September 2017 on the Committee's guidance on improving national reporting, comments were received from Colombia, the European Union and its member States, and Malaysia.<sup>5</sup>

15. Revised draft guidance taking into account the comments received is set out in the annex to document UNEP/CHW/CC.13/4/Add.3. This guidance is to be consulted with the Open-ended Working group during its eleventh meeting.<sup>6</sup>

### **E. Additional steps to improve the timeliness and completeness of national reporting**

16. During the 21 November 2017 consultations, Committee member Marcus Schroeder (Germany) expressed interest in also being a lead member for this activity alongside the other lead members. Members discussed the importance of having access to information on the reasons for lack of reporting in order to be in a position to develop recommendation for improving the timeliness and completeness of national reporting. The lead members agreed to hold a brainstorming session on the matter and, to support their discussions, requested the Secretariat to prepare a compilation of challenges as communicated by Parties and of recommendations already considered in the past. Members also agreed to consider the way forward following completion of the classifications for 2014 and 2015, and taking into account the availability of reports for 2016 transmitted to the Secretariat.

17. Lead members held a brainstorming session on 20 February 2018, at which time they discussed a draft note prepared by the Secretariat on the activities of the Committee to improve the timeliness and completeness of national reporting under the Basel Convention, including information on the reasons for lack of reporting and measures to address them.

18. During their 17 April 2018 consultations, Committee members heard a report from the lead members on their brainstorming session. Following an exchange of views, members requested the Secretariat to prepare, under the guidance of the lead members, a draft report on the status of reporting and how to improve the timeliness and completeness of reporting taking into account the draft note

<sup>4</sup> UNEP/CHW.13/INF/59.

<sup>5</sup> These comments are available at: <http://www.basel.int/Implementation/LegalMatters/Compliance/GeneralIssuesActivities/Activities201819/Nationalreportingguidance/tabid/6124/Default.aspx>.

<sup>6</sup> See annex to document UNEP/CHW/OEWG.11/INF/26.

prepared by the Secretariat for the brainstorming session and using a structure agreed by the lead members, for consideration by the Committee during its thirteenth meeting.

19. The draft report on the status of reporting and how to improve the timeliness and completeness of reporting is set out in the annex to document UNEP/CHW/CC.13/4/Add.4.

### **III. Proposed action**

20. With respect to the development of recommendations on the revision of targets for the reports due for 2016 and subsequent years, the Committee is invited to consider the information set out in the present note and to recommend revised targets for measuring progress in the overall implementation of and compliance with paragraph 3 of Article 13 of the Convention for the years 2016 and onwards for the consideration and possible adoption by the Conference of the Parties at its fourteenth meeting.

21. With respect to the other activities of its work programme aimed at improving timely and complete national reporting under paragraph 3 of Article 13 of the Convention, the Committee is invited to consider the information contained in the present note as well as the information and proposed action contained in documents UNEP/CHW/CC.13/4/Add.1 to UNEP/CHW/CC.13/4/Add.4.

---