

## COMMUNICATION

### TWO CONSULTANCY ANNOUNCEMENTS:

#### CALL FOR APPLICATIONS BY 26 NOVEMBER 2015

##### LEGAL CLARITY: REVIEW OF ANNEXES

By Decision BC-12/1 on the follow-up to the Indonesian-Swiss country-led initiative to improve the effectiveness of the Basel Convention, the twelfth meeting of the Conference of the Parties to the Basel Convention decided, among other things, to initiate a process for the review of Annexes I, III and IV and related aspects of Annex IX to the Basel Convention, taking as a basis the legally binding options identified in section II of annex II to document UNEP/CHW.12/INF/52.

In the event no lead Party expresses an interest in the matter, a consultant shall be retained to assist the Secretariat with the process of reviewing Annex IV and related aspects of Annex IX to the Basel Convention. The reference for this job opening is: **JO 50820**

##### IMPLEMENTATION AND COMPLIANCE COMMITTEE: CONTROL SYSTEM

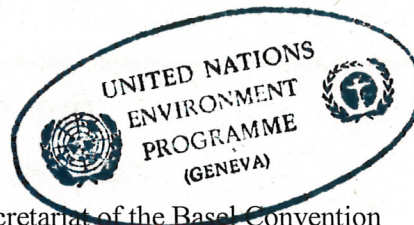
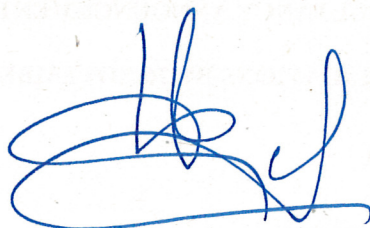
By Decision BC-12/7, the twelfth meeting of the Conference of the Parties to the Basel Convention adopted the work programme of the Committee for Administering the Mechanism for Promoting Implementation and Compliance with the Basel Convention (hereinafter "ICC") for the biennium 2016-2017, whereby it requested the ICC, among other things, to improve the implementation of and compliance with Article 6 of the Convention on transboundary movements between parties. More specifically, the Committee was mandated to consider what additional steps could be taken to improve the implementation of and compliance with that provision. Within this mandate, the Committee has agreed to undertake activities more specifically aimed at improving the implementation of paragraph 4 of Article 6 on transit and on electronic notification systems.

A consultant shall be retained to assist the ICC in carrying out these activities. The reference for this job opening is: **JO 50829**

*The Secretariat invites interested candidates to consult the attached two sets of terms of reference and to submit their candidature by 26 November 2015 by applying at:  
<https://careers.un.org/lbw/jobdetail.aspx?id=50820>, respectively at:  
<https://careers.un.org/lbw/jobdetail.aspx?id=50829>*

The Secretariat would welcome the assistance of Parties, Signatories as well as the Basel Convention Regional Centres in making this information available to potential candidates.

Thank you in advance for your kind cooperation and assistance.



Secretariat of the Basel Convention  
Geneva, 13 November 2015

To: Focal Points and Competent Authorities of Parties and Signatories to the Basel Convention  
Basel Convention Regional and Coordinating Centres  
cc: Permanent Missions to the United Nations in Geneva

## **Terms of reference**

### **Consultant to assist the Secretariat with the process of reviewing Annex IV and related aspects of Annex IX to the Basel Convention**

1. By Decision BC-12/1 on the follow-up to the Indonesian-Swiss country-led initiative to improve the effectiveness of the Basel Convention, the twelfth meeting of the Conference of the Parties to the Basel Convention decided, among other things, to initiate a process for the review of Annexes I, III and IV and related aspects of Annex IX to the Basel Convention, taking as a basis the legally binding options identified in section II of annex II to document UNEP/CHW.12/INF/52.
2. In its decision, the Conference of the Parties also:
  - a. invited parties and others to submit to the Secretariat by 30 November 2015 their views on the options identified in section II.A and section II.B of annex II to document UNEP/CHW.12/INF/52;
  - b. invited parties to inform the Secretariat by 30 November 2015 of their interest in taking the lead on the review of Annex IV and related aspects of Annex IX to the Convention identified in section II.A of annex II to document UNEP/CHW.12/INF/52;
  - c. invited the lead party, or in its absence requests the Secretariat subject to the availability of resources, to assess the views received from parties and others on options identified in section II.A of annex II to document UNEP/CHW.12/INF/52 and to prepare recommendations thereon for the consideration of the Open-ended Working Group at its tenth meeting; and
  - d. requested the Secretariat to compile the views received from parties and others in relation to the review of Annexes I, III and IV and related aspects in Annex IX to the Convention pursuant to paragraph 24 above and to submit them to the Open-ended Working Group at its tenth meeting.
3. A consultant shall be retained to assist the Secretariat with the process of reviewing Annex IV and related aspects of Annex IX to the Basel Convention.
4. The consultant, who shall report to the Secretariat of the Basel Convention, shall undertake the following tasks:
  - a. Familiarize him/herself with the relevant provisions of the Basel Convention as well as relevant decisions, meeting documents and guidance documents pertaining to the Indonesian-Swiss Country-led Initiative, the work of the small intersessional working group on legal clarity (in particular the glossary of terms set out in the annex to document UNEP/CHW/CLI\_SIWG.3/3) as well as annexes IV and related aspects of Annex IX to the Basel Convention;
  - b. Compile and analyse the views received from parties and others on options identified in section II.A of annex II to document UNEP/CHW.12/INF/52, which reads:

“ II. Legally binding options;

A. Waste / non-waste

    1. It may be considered to review Annex IV as a whole in order to update the description of certain disposal operations and to include recovery operations as they occur in practice, and to possibly define relevant terms in this Annex.
    2. It may also be considered i) to review the captions of Annex IV A and Annex IV B in relation to “direct reuse” and ii) to review operation R9 in Annex IV B in relation to the term “reuse”. In addition, the references to “direct reuse” and “reuse” in Annex IX entry B1110, including footnotes 20 and 21, may be reviewed. “

- c. Prepare a report in English of up to 10 pages including: an assessment of the views mentioned above and, based on these, recommendations on the review of annexes IV and related aspects of annex IX to the Convention, for the consideration of the Open-ended Working Group at its tenth meeting.

#### Qualifications and experience

5. The consultant shall have:
  - At least seven years' work experience in the field of MEAs, including on the Basel Convention.
  - At least five years experience with waste management issues.
  - An advanced university degree (master's degree or equivalent) in international law or environmental engineering. A first degree level university degree in combination with qualifying experience may be accepted in lieu of the advanced university degree.
  - Excellent English reading and writing skills.
  - Knowledge of French and Spanish desirable.

#### Time frame and contract details

6. The contract will require 40 days of work, to be executed between between 15 December 2015 and 1 March 2016. Depending on the outcome of the OEWG-10, further work may be needed for the consideration of the thirteenth meeting of the Conference of the Parties, which would be mandated in a separate contract.
7. The consultant shall transmit to the Secretariat:
  - A first draft report by 11 January 2016;
  - A second draft report by 15 February 2016, taking into account comments by the Secretariat, for consideration by OEWG-10 ( 29 May – 2 June 2016).

## Terms of reference

### **Consultant to assist the Implementation and Compliance Committee to improve the implementation of and compliance with Article 6 of the Convention: Transit issues and electronic systems for notifications of TBM**

1. By Decision BC-12/7,<sup>1</sup> the twelfth meeting of the Conference of the Parties to the Basel Convention adopted the work programme of the Committee for Administering the Mechanism for Promoting Implementation and Compliance with the Basel Convention (hereinafter “ICC”) for the biennium 2016-2017, whereby it requested the ICC, among other things, to improve the implementation of and compliance with Article 6 of the Convention on transboundary movements between parties. More specifically, the Committee was mandated to consider what additional steps could be taken to improve the implementation of and compliance with that provision.

2. Within this mandate, the Committee has agreed to undertake activities more specifically aimed at improving the implementation of paragraph 4 of Article 6 on **transit**, which reads as follows:

*“Each State of transit which is a Party shall promptly acknowledge to the notifier receipt of the notification. It may subsequently respond to the notifier in writing, within 60 days, consenting to the movement with or without conditions, denying permission for the movement, or requesting additional information. The State of export shall not allow the transboundary movement to commence until it has received the written consent of the State of transit. However, if at any time a Party decides not to require prior written consent, either generally or under specific conditions, for transit transboundary movements of hazardous wastes or other wastes, or modifies its requirements in this respect, it shall forthwith inform the other Parties of its decision pursuant to Article 13. In this latter case, if no response is received by the State of export within 60 days of thereceipt of a given notification by the State of transit, the State of export may allow the export to proceed through the State of transit.”*

3. In addition, the Committee has agreed to explore **electronic data approaches for the notification and movements documents**.

4. A consultant shall be retained to assist the ICC indeveloping **two reports** for the consideration of the ICC during its twelfth meeting and, subject to the outcome of that meeting, revised reports including recommendations for consideration by the thirteenth meeting of the Conference of the Parties.

5. The consultant, who shall report to the ICC through the Secretariat of the Basel Convention, shall undertake the following tasks:

#### *5.1. Report on transit issues*

- a. Familiarize him/herself with the relevant provisions of the Basel Convention as well as relevant guidance documents, decisions and meeting documents, as well as the responses received to the ICC questionnaires on transit issues.
- b. Collect information from additional sources as needed, for instance from parties (eg. legislation, existing guidance, challenges faced and best practices) and stakeholders (eg. BCRCs, generators, disposers, transporters) on their experience, including challenges faced and best practices, to implement paragraph 4 of Article 6 of the Convention.

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<sup>1</sup>Decision BC-12/7 is available at:

<http://www.basel.int/TheConvention/ConferenceoftheParties/ReportsandDecisions/tabid/3303/Default.aspx>



- c. Develop a report, including draft recommendations, to improve the implementation of paragraph 4 of Article 6 of the Basel Convention, in English, taking into account the information available under a) and b) above.
- d. The report will comprise a one page executive summary, a half- page introduction, two parts, and a half-page conclusion. It will be about 15/20 pages long (excluding annexes).
  1. The first part of the report will present:
    - The genesis and purpose of paragraph 4 of Article 6 of the Basel Convention existing guidance on this provision as well as information on any effort undertaken under the Convention to improve its implementation;
    - A summary and analysis of the responses received to the questionnaire on the steps taken by Parties to implement this provision;
    - A summary and analysis of the responses received to the questionnaire on Parties' and stakeholders' experience with paragraph 4 of Article 6, including challenges met and best practices;
    - A summary and analysis of the suggestions received from parties and stakeholders to improve the implementation of paragraph 4 of Article 6;
  2. The second part of the report will build on its first part and set out recommendations on how to further improve the implementation of paragraph 4 of Article 6 of the Basel Convention. The recommendations will be tailored to overcoming specific challenges and directed, as needed, to Parties, the Conference of the Parties, the BCRCs, and stakeholders involved in transboundary transit movements.

## *5.2 Report on electronic data approaches for the notification and movements documents*

- a. Familiarize him/herself with the relevant provisions of the Basel Convention as well as relevant guidance documents, decisions and meeting documents pertaining to the control system;
- b. Collect information on the experience with electronic information exchange for the import and export of environmentally sensitive goods under other multilateral environmental agreements (MEAs), for instance CITES, Cartagena Protocol, Rotterdam Convention and Montreal Protocol;
- c. Prepare two questionnaires to collect information from Parties and other stakeholders (eg. BCRCs, generators, exporters, importers, disposers and transporters) on their views and/or experience with electronic data approaches for the notification and movements documents, including challenges and best practices as well as their experience with electronic data systems for controlling movements nationally; and prepare a regionally based list of stakeholders to whom to send the questionnaire;
- d. Develop a report, including draft recommendations, to improve the implementation of paragraph 4 of Article 6 of the Basel Convention through the possible development and use of electronic data approaches for the notification and movements documents, in English.
- e. The report will comprise a one page executive summary, a half- page introduction, two parts, and a half-page conclusion. It will be about 15/20 pages long (excluding annexes).
  1. The first part of the report will present:
    - Background information on the notification and movement document system in place to control transboundary movements under the Basel Convention
    - The experience with electronic information exchange for the import and export of environmentally sensitive goods under other multilateral environmental agreements (MEAs), for instance CITES, Cartagena Protocol, Rotterdam Convention and Montreal Protocol, including benefits and challenges with such systems and lessons learned for the Basel Convention;
    - A summary and analysis of information collected from Parties and other stakeholders through the questionnaires on their views or experience with

- electronic data approaches for the notification and movements documents, including challenges and best practice
2. The second part of the report will build on its first part and set out recommendations on the feasibility and possible approaches for developing electronic data approaches for the notification and movements documents as a way of improving the implementation of Article 6 of the Basel Convention. The recommendations will be directed, as needed, to Parties, the Conference of the Parties, the BCRCs, and stakeholders involved in transboundary transit movements.

#### Qualifications and experience

6. The consultant shall have:
  - At least seven years' work experience in the field of MEAs, including on the Basel Convention.
  - At least five years experience in the field of controlling the import and export of environmentally sensitive goods under MEAs, in particular the Basel Convention;
  - An advanced university degree (master's degree or equivalent) in law or environmental sciences or engineering. A first degree level university degree in combination with qualifying experience may be accepted in lieu of the advanced university degree;
  - Excellent English reading and writing skills;
  - Knowledge of French and Spanish desirable.

#### Time frame and contract details

7. The contract will require 80 days of work, to be executed between 1 December 2015 and 31 May 2016 (50 days), and between 1 September and 30 November 2016 (30 days).
8. The consultant shall transmit to the ICC, through the Secretariat:
  - 8.1. *Report on transit issues*
    - A first draft report 19 February 2016
    - A second draft report, taking into account comments by ICC members and the Secretariat by 18 March 2016, for consideration by ICC-12 (4-6 June 2016);
    - A third draft report taking into account the outcome of ICC-12 as well as views from Parties and others by 31 October 2016 for consideration by the thirteenth meeting of the Conference of the Parties.
  - 8.2 *Report on electronic data approaches for the notification and movements documents*
    - Two draft questionnaires by 15 December 2015
    - Two final draft questionnaires by 15 January 2016 taking into account comments by ICC members and the Secretariat by
    - A first draft report by 15 May 2016 for the information and possible consideration by ICC-12 (4-6 June 2016);
    - A second draft report taking into account the outcome of ICC-12 as well as views from Parties and others by 31 October 2016 for consideration by the thirteenth meeting of the Conference of the Parties.

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