

BC-14/17: National legislation, notifications, enforcement of the Convention and efforts to combat illegal traffic

The Conference of the Parties

1. *Welcomes* the implementation and enforcement activities undertaken by the Secretariat,¹ and encourages the Secretariat to further develop those activities;
2. *Invites* enforcement organizations and networks to continue to actively engage in preventing and combating illegal traffic in hazardous wastes and other wastes, and to continue their collaboration with the Secretariat on activities aimed at assisting Parties to prevent and combat illegal traffic;
3. *Urges* Parties to fulfil their obligations set out in paragraph 4 of Article 4 and paragraph 5 of Article 9 of the Convention, including by updating or developing stringent legislation on the control of transboundary movements of hazardous wastes and by incorporating into their national legislation appropriate sanctions or penalties for illegal traffic in hazardous wastes and other wastes;
4. *Encourages* Parties to continue to provide the Secretariat with the texts of national legislation and other measures adopted by them to implement and enforce the Convention;
5. *Invites* Parties to continue to share information, through the Secretariat, on best practices in preventing and combating illegal traffic, and to report confirmed cases of illegal traffic to the Secretariat using the prescribed form for confirmed cases of illegal traffic;
6. *Invites* Parties that have not yet provided the Secretariat with any of the information on national definitions of hazardous wastes required under Article 3 and paragraph 2 (b) of Article 13 of the Convention, including national lists, or any of the information on import or export restrictions or prohibitions required under paragraphs 1 (a) and (b) of Article 4 of the Convention and paragraphs 2 (c) and (d) of Article 13 of the Convention, to do so as soon as possible and to report, through their designated focal points, any subsequent significant change in that information, using the standardized reporting format or the revised format for national reporting for use by Parties in reporting for the year 2016 and subsequent years;
7. *Acknowledges* the importance of effective implementation of the Convention's provisions in paragraph 4 of Article 6 related to transit, recalls decision BC-13/9, urges Parties to ensure compliance with the Convention in accordance with paragraph 4 of Article 6, and urges stakeholders involved in transboundary movements of wastes, such as exporters and carriers, to comply with national legislation in relation to transit transboundary movements;
8. *Mandates* the Open-ended Working Group to consider at its twelfth meeting whether a common interpretation of the meaning of "State of transit" may be agreed upon;
9. *Requests* the Secretariat:
 - (a) To continue to maintain a collection of best practices for preventing and punishing illegal traffic, forms for reporting confirmed cases of illegal traffic, information on national definitions of hazardous wastes, including national lists, as well as information on import or export restrictions or prohibitions, and to continue to make that information available on the Convention website;
 - (b) To make information on national definitions of hazardous wastes, including national lists, as well as information on import or export restrictions or prohibitions, available in the six official languages of the United Nations, subject to the availability of resources;
 - (c) To provide Parties, upon request, with advice on matters pertaining to the implementation and enforcement of the Convention, including on the development and updating of national legislation or other measures, such as measures to protect themselves from unwanted imports of wastes, and with assistance in the identification of cases of illegal traffic;

¹ See UNEP/CHW.14/15.

(d) To continue to cooperate with enforcement organizations and networks;

(e) To build on and further develop tools and organize enforcement training activities, subject to the availability of resources, in collaboration with the regional and coordinating centres under the Basel Convention, the secretariats of other relevant multilateral environmental agreements and other international organizations, agencies or programmes, and to assist Parties, in particular developing-country Parties and Parties with economies in transition, to develop national legislation and other measures to implement and enforce the Convention and to prevent and punish illegal traffic;

(f) To report on the implementation of the present decision to the Conference of the Parties at its fifteenth meeting.