

VI/15. Basel Protocol on Liability and Compensation

The Conference of the Parties,

Recalling its decision V/29, by which it adopted the Basel Protocol on Liability and Compensation for Damage resulting from the Transboundary Movements of Hazardous Wastes and their Disposal, and its decision V/31 on the relationship of the Protocol with the Basel Convention,

I. Ratification, acceptance or approval of instruments of accession

1. Calls on Parties to the Basel Convention to expedite the process of ratification, acceptance or approval of or accession to the Basel Protocol, to enable the Protocol to enter into force at the earliest opportunity, with a view to allowing the first meeting of the Parties to the Basel Protocol to be convened in conjunction with the seventh ordinary meeting of the Conference of the Parties to the Basel Convention;
2. Further calls on States that are not Parties to the Basel Convention to ratify, accept, approve or accede to it and to the Protocol;
3. Invites Parties to provide to the secretariat by 1 July 2003 their answers, views and comments to the questionnaire contained in appendix I to the present decision;
4. Requests the secretariat to prepare a summary and a compilation of the submissions received and present them to the Open-ended Working Group for consideration;

II. Facilitation of ratification and implementation of the Basel Protocol

5. Approves the work plan for the facilitation of ratification and implementation of the Basel Protocol prepared by the secretariat and contained in appendix II to the present decision;
6. Requests the Open-ended Working Group to undertake, with the support of the secretariat, the preparations necessary for the first meeting of the Parties of the Basel Protocol.

Appendix I

QUESTIONNAIRE FOR THE PARTIES ON THE RATIFICATION OF AND ACCESSION TO THE PROTOCOL ON LIABILITY AND COMPENSATION FOR DAMAGE RESULTING FROM TRANSBOUNDARY MOVEMENTS OF HAZARDOUS WASTES AND THEIR DISPOSAL

1. Please select from the following the most appropriate description of the current position of your Government:
 - (a) No steps have been taken towards ratification/accession. If so, in general terms, could you elaborate on why no action has been taken.
 - (b) No formal steps have been taken towards ratification/accession but the Protocol has been examined by respective national authorities in order to determine what actions may be needed to initiate ratification/accession. In general terms, can any preliminary outcomes be shared with other Parties to the Convention?

(c) The Protocol has been examined by respective national authorities and recommended for ratification/accession.

(d) The Protocol has been examined by respective national authorities and not recommended for ratification/accession. If possible and in general terms, please specify the reasons why it was not recommended for ratification/accession.

2. What difficulties/obstacles have been encountered in the process of ratification/accession?

3. Please provide any other observations.

Note: The questions are voluntary and Parties have the full freedom to respond to all, to some or to none of the questions.

Appendix II

WORK PLAN FOR THE FACILITATION OF RATIFICATION/ACCESSION AND IMPLEMENTATION OF THE BASEL PROTOCOL

I. Open-ended Working Group

Analyse, based on a compilation of submissions received from Parties, the obstacles and difficulties faced by the Parties in the process of ratification/accession to the Basel Protocol.

II. Secretariat

1. Organization with voluntary financial contributions, in cooperation with the Basel Convention Regional Centres, of five workshops (one workshop for each United Nations regional group) for addressing various aspects and obstacles to the process of ratification of or accession to the Basel Protocol.

2. Provision of legal and technical assistance, upon request and within available resources, to Parties in their process of ratification/accession.

3. Provision of legal and technical assistance to countries not Party to the Basel Convention, in order to facilitate accession to or approval or acceptance of both the Basel Convention and the Basel Protocol.

4. Preparation, in consultation with Parties and other stakeholders, of a detailed instruction manual for the implementation of the Basel Protocol.