

Electronic data approaches for the notification and movement documents

Questionnaire for Parties

Introduction

Background

By its Decision BC-12/7, the Conference of the Parties to the Basel Convention, at its twelfth meeting, adopted the work programme for the biennium 2016-2017, whereby the Committee Administering the Mechanism for Promoting Implementation and Compliance with the Basel Convention (ICC) was requested to improve the implementation of and compliance with Article 6 of the Convention by considering what additional steps could be taken to improve the implementation of and compliance with that provision.

Within this mandate the ICC agreed to explore electronic data approaches for the notification and movement documents¹.

Article 6 (1) and (2) of the Convention provide:

- 1. The State of export shall notify, or shall require the generator or exporter to notify, in writing, through the channel of the competent authority of the State of export, the competent authority of the States concerned of any proposed transboundary movement of hazardous wastes or other wastes. Such notification shall contain the declarations and information specified in Annex V A, written in a language acceptable to the State of import. Only one notification needs to be sent to each State concerned.*
- 2. The State of import shall respond to the notifier in writing, consenting to the movement with or without conditions, denying permission for the movement, or requesting additional information. A copy of the final response of the State of import shall be sent to the competent authorities of the States concerned which are Parties.*

Article 6 (9) of the Convention provides:

- 9. The Parties shall require that each person who takes charge of a transboundary movement of hazardous wastes or other wastes sign the movement document either upon delivery or receipt of the wastes in question. They shall also require that the disposer inform both the exporter and the competent authority of the State of export of receipt by the disposer of the wastes in question and, in due course, of the completion of disposal as specified in the notification. If no such information is received within the State of export, the competent authority of the State of export or the exporter shall so notify the State of import.*

The eighth meeting of the Conference of the Parties to the Basel Convention invited Parties to use the notification and movement documents and the instruction on their use by decision VIII/18 (“Harmonization of forms for notification and movement documents and related instructions”)².

Purpose of questionnaire

This questionnaire seeks to collect Parties’ views and/or experience with electronic data approaches for the notification and movement documents, with a view to identifying experience, challenges and best practices with electronic data systems for controlling transboundary movements of wastes covered by the Basel Convention. In particular, this questionnaire is designed to discover the extent to which notification and movement documents are already processed, transmitted and/or stored electronically and whether any Parties have plans to increase the use of electronic data in this regard. The questionnaire also starts a discussion about the possible benefits of and challenges with a centralized Basel Convention electronic approach to notification and movement documents.

Parties are also invited to inform and make available to stakeholders within their jurisdiction, in particular waste generators, exporters, importers and disposers, the questionnaire for stakeholders available at <http://fs.pops.int/icc-electronic-approaches-stakeholders>

Contents of the questionnaire

The questionnaire has 6 sections.

- Sections 1 and 2 of the questionnaire ask questions about the implementation of the PIC procedure: the notification document, and the movement document.
- Section 3 asks about current experience with electronic approaches and section 4 is about the prospect of a Basel electronic system. By asking questions about electronic data approaches, this questionnaire explores the use of electronic means to process, transmit and/or store information relating to the notification and movement of hazardous and other wastes.

Examples of electronic data approaches could include:

- o making notification and movement documents available in electronic form;
- o a centralised system of electronic notification;
- o a standardised system of notification that would enable each Party to keep their own system but which would enable a Party to communicate with the system of another Party using standardised messages; and
- o a combination of one or more of the above three approaches.

- Section 5 allows the Party to add further information. The sixth and final section is for information about the submitting Party.

Instructions for completing and submitting the questionnaire

The ICC encourages focal points to seek the cooperation of competent authorities in completing this questionnaire.

Questionnaires are to be submitted to the Secretariat no later than 1 April 2016. Any substantive questions pertaining to this questionnaire may be addressed to Mrs. Juliette Voinov Kohler (juliette.kohler@brsmeas.org). Any questions pertaining to completing and submitting this questionnaire may be addressed to Ms. Leslie Angeles (leslie.angeles@brsmeas.org).

We thank you in advance for your kind cooperation.

The Implementation and Compliance Committee

¹ Under that mandate, the Committee has also agreed to undertake activities more specifically aimed at improving the implementation of paragraph 4 of Article 6 on transit. The work on transit is separate from, but related to the issues that this questionnaire addresses. Parties have already been requested to complete a separate questionnaire relating to paragraph 4 of Article 6 on transit.

² These forms may be found at <http://www.basel.int/Procedures/NotificationMovementDocuments/tabid/1327/Default.aspx>

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I. Notification document: notification and consent

This part of the questionnaire relates to the first stage of the Convention's prior informed consent procedure, which begins when the exporter/generator of the wastes informs the Competent Authority of the State of export of a proposed shipment of hazardous or other wastes, and ends when the Competent Authority of the State of export issues a movement document and authorizes the shipment to start.

I.1 Is the notification document **available** in electronic form in your country?

Yes

No

I.2 Can the notification document be **completed** electronically in your country?

Yes

No

I.3 Are notification documents **usually completed** electronically in your country?

Yes

No

Other (please specify)

I.4 How are the notification documents **signed** by the State of export, exporter or generator in your country?

By a manual signature

By a digital signature

In another way (in which case please describe)

I.5 How are notification documents by the State of export, generator or exporter **stored** in your country?

- In paper form
- In electronic form (eg. database)
- In another form (in which case please describe)

I.6 How are notification documents by the State of export, generator or exporter **transmitted** to the State of import/transit? Please review the two options below and tick all boxes that apply.

I.6.1. If in your country the notification is transmitted *by the Competent Authority of the State of export*, this notification is transmitted by:

- Post
- Fax
- Email
- In electronic form (eg. through shared database)
- In another form (in which case please describe)

- Not applicable

I.6.2. If in your country the notification is transmitted *by the generator or exporter*, this notification is transmitted by:

- Post

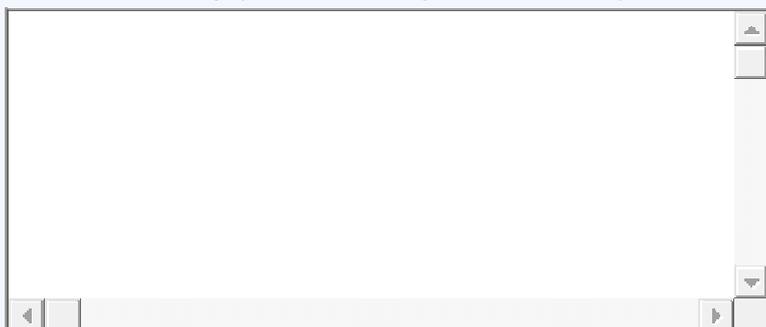
- Fax
- Email
- In electronic form (eg. through shared database)
- In another form (in which case please describe)



- not applicable

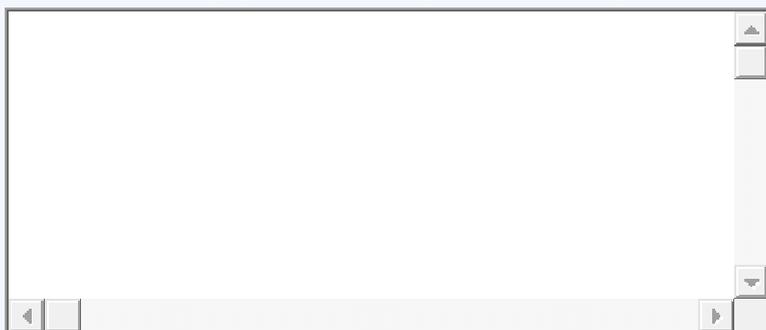
I.7 As State of export, how does the Competent Authority in your country **sign** notification documents to be transmitted to the State of import/transit?

- Manually
- Digitally
- In another way (in which case please describe)



I.8 As State of import/transit, how does the Competent Authority in your country **process** (receive, store, respond to) notification documents received through the Competent Authority of the State of export?

- Manually
- Digitally
- In another way (in which case please describe)



I.9 The notification procedure includes a number of **procedural stages** that engage a Competent Authority. Which, if any, of these stages should involve an electronic approach? Please tick each box that you think is

relevant.

- Stage 1: The exporter/generator/State of export of the wastes informs the Competent Authority of the State of export of a proposed transboundary movement of hazardous or other wastes and submits all supporting documents, including the notification document.
- Stage 2: The Competent Authority of the State of export has no objection to the export and informs the exporter/generator/State of export thereof (in some Parties, this does not take place at this time).
- Stage 3: The notification document is transmitted to the Competent Authority of the States concerned (State of import/transit).
- Stage 4: On receipt of the notification document, the Competent Authority of the State of import/transit provide its written consent (with or without conditions) or denial (after asking for further clarification, if necessary).
- Stage 5: Once the relevant Competent Authorities have established that all the requirements of the Convention have been met and have agreed to the movement, the Competent Authority of the State of export can proceed with the issuance of the movement document and authorize the shipment to start.
- Other stages (please specify)

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If you have ticked any of the above boxes, please explain why you consider an electronic approach would be helpful.

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II. Movement document: transboundary movement and confirmation of disposal

This part of the questionnaire relates to the second stage of the Convention's prior informed consent procedure, which begins following the issuance of the movement document and when the transboundary movement has been initiated and lasts until the wastes have been received by the disposer and the exporter and the State of export receive confirmation that the wastes have been disposed of as planned and in an environmentally sound manner.

II.1 Is the movement document **available** in electronic form in your country?

Yes

No

II.2 Can the movement document be **completed** electronically in your country?

Yes

No

II.3 Is the movement document **usually completed** electronically in your country?

Yes

No

II.4 In your country, how do the movement documents **become available** to each person who takes charge of a transboundary movement of hazardous wastes or other wastes ? Please, tick all that apply.

Original

Copy

Fax

Email

In electronic form

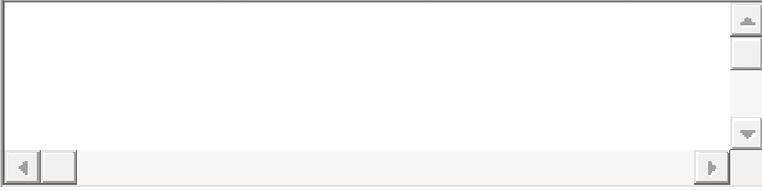
In another form (in which case please describe)

II.5 In your country, how are the movement documents **signed and stamped**?

Manually

Digitally

In another way (in which case please describe)



II.6 As State of export, how do you receive confirmation from the disposer that waste **has been received and disposed of** as planned and in an environmentally sound manner? Please, tick all that apply.

Post

Fax

Email

In electronic form

In another form (in which case please describe)



II.7 As State of import, how are you informed by the State of export that confirmation of reception and disposal **has not been received** from the disposer? Please, tick all that apply.

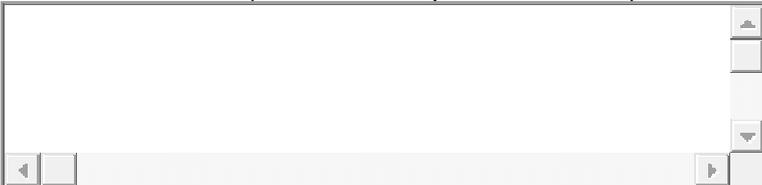
Post

Fax

Email

In electronic form

In another form (in which case please describe)



II.8 The movement and disposal procedures include a **number of stages**. Which, if any, of these stages should involve an electronic approach? Please tick each box that is relevant.

Stage 1: The movement document, which contains important information, accompanies the wastes and is signed by each person taking charge of it.

Stage 2: The exporter and Competent Authority of the State of export receive confirmation that the wastes moved across borders have been received and disposed of by the disposer as planned and in an environmentally sound manner.

Stage 3: The Competent Authority of the State of export that has not received the confirmation that disposal has been completed informs the Competent Authority of the State of import accordingly.



Other stages (please specify)

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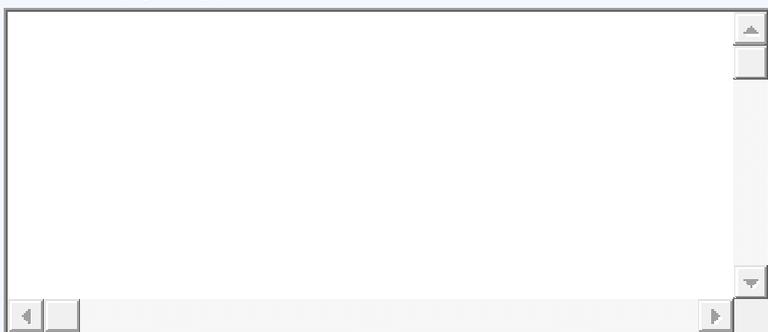
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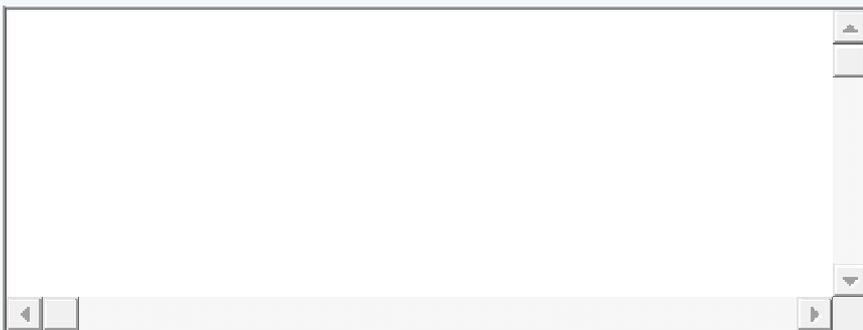
III. Current experience of electronic approaches

III.1 In your country, are there **electronic approaches** to any of the following waste movement processes? Please tick the ones that apply.

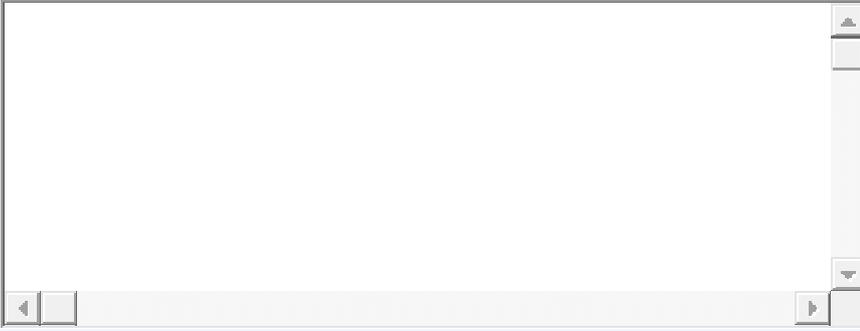
- Contract between waste exporter and disposer
- Notification of proposed movement
- Response to notification of proposed movement
- Issuance of movement document
- Tracking/signature of movement document
- National movements of waste following transboundary movement
- Notification of reception of wastes
- Notification of confirmation of disposal
- Information that no confirmation of disposal was received
- Other (specify)

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III.2 If you already have an electronic approach, name the most significant **challenges** you face when implementing that approach.

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III.3 If you already have an electronic approach, name the most significant **benefits** that approach brings.



III.4 Have you carried out any **studies** on possible electronic approaches? If possible, please provide us with a brief summary of the findings, or a copy thereof.



Attach a copy:

III.5 What are the most important **practical challenges** you face with respect to the movement of waste?



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IV. A Basel Convention system for electronic data approaches to notification and movement

IV.1 Do you think there is a need for an initiative to provide for electronic data approaches to notification and movement, which would **be available to all Parties** to the Basel Convention (a Basel Convention electronic system for transboundary movements)?

Yes

If so, why?

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No

If so, why?

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IV.2 In your opinion, which of the listed **processes** should be supported by a Basel Convention electronic system for transboundary movements? Please tick the relevant box.

- Contract between waste exporter and disposer
- Notification of proposed movement
- Response to notification of proposed movement
- Issuance of movement document
- Tracking/signature of movement document
- National movements of waste following transboundary movement
- Notification of reception of wastes
- Notification of confirmation of disposal

Information that no confirmation of disposal was received

Other (specify)

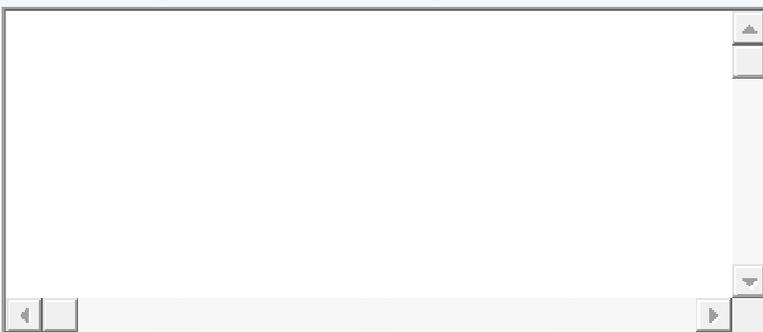


IV.3 Which, if any, of the **alternatives** listed below for a Basel Convention electronic system for transboundary movements would be your preference? Please, tick the relevant box and explain your answer.

A *central system* managed by the Secretariat and accessible by all Parties and other stakeholders



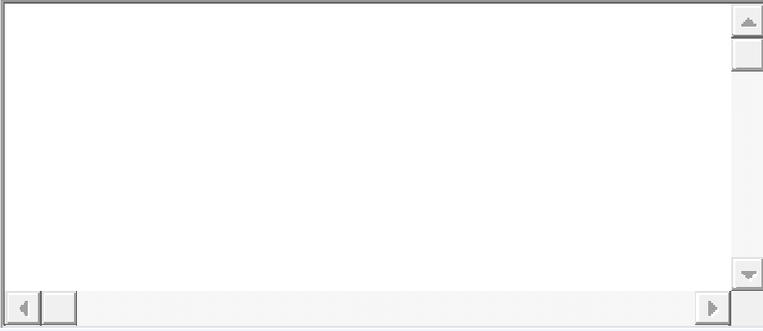
A *decentralised system*, where each Party would have its own system, which could communicate with other systems using standardized messages



An *intermediate system*, with some Parties having their own systems and others not, with the Secretariat playing the role of the centralized repository of the notifications.



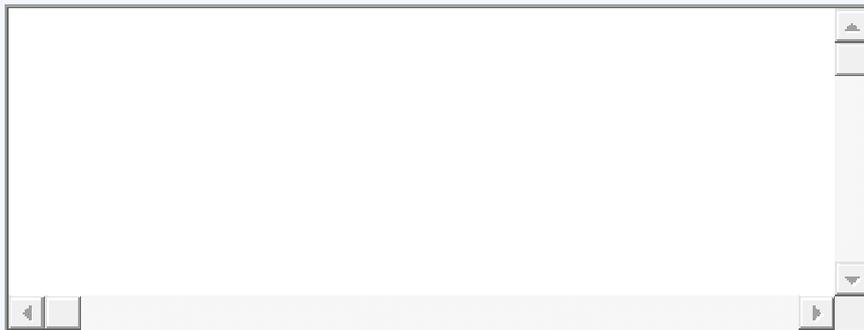
Other (please specify)

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IV.4 If you would favour a Basel Convention electronic system for transboundary movements, what would you expect the main **benefits** to be?

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IV.5 If you would not favour a Basel Convention electronic system for transboundary movements, what would you expect the main **challenges** to be?

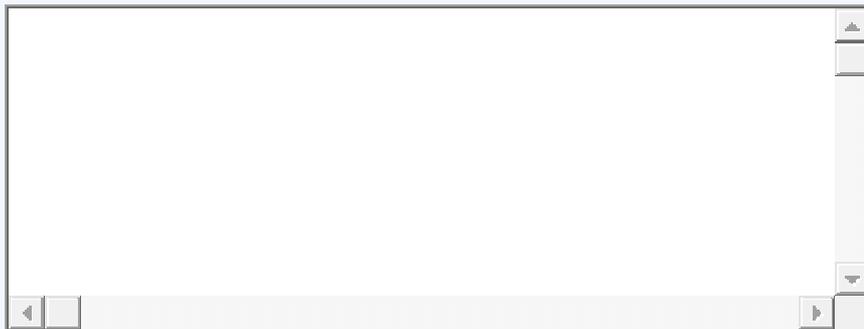
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V. Other relevant information

V.1 Please add any **additional information or comments** pertaining to an electronic data approach that is not included in answers to the above questions and could improve the implementation of the Basel Convention control procedure.



V.2 Please list the **stakeholders** within your jurisdiction to whom you have sent the questionnaire for stakeholders available at <http://fs.pops.int/icc-electronic-approaches-stakeholders>. You may provide the information in the box below or attach a list.

Name of stakeholder:

Contact person:

Address:

E-mail:

Name of stakeholder:

Contact person:

Address:

Email:

Name of stakeholder:

Contact person:

Address:

Email:

Attach list:

upload file

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VI. Submitter information

Submitting Party:

Party:

Contact details of the person who completed the questionnaire:

Name:

Title:

Address:

Telephone:

Fax:

E-mail:

To submit the questionnaire, please enter the Submission password provided and click on "Next page".

If you do not wish to submit the questionnaire at this time, you can click on the "Save" button and exit the questionnaire.

Submission password: