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**Conference of the Parties to the Basel Convention  
on the Control of Transboundary Movements of  
Hazardous Wastes and Their Disposal  
Fifteenth meeting**

Geneva (online), 26–30 July 2021\*

Item 4 (a) (i) of the provisional agenda\*\*

**Matters related to the implementation of the  
Convention: strategic issues: strategic framework**

## **Strategic framework**

### **Addendum**

#### **Executive summary of the report on the final evaluation of the strategic framework for the implementation of the Basel Convention for 2012–2021**

#### **Note by the Secretariat**

1. As is mentioned in document UNEP/CHW.15/3, the executive summary of the report on the final evaluation of the strategic framework for the implementation of the Basel Convention for 2012–2021 is set out in the annex to the present note. The present note, including its annex, has not been formally edited.
2. The full report on the final evaluation of the strategic framework for the implementation of the Basel Convention for 2012–2021 is set out in document UNEP/CHW.15/INF/5.

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\* Face-to-face resumed meetings of the conferences of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the Stockholm Convention on Persistent Organic Pollutants are tentatively scheduled to take place in 2022.

\*\* UNEP/CHW.15/1.

## Annex

### **Executive summary of the report on the final evaluation of the strategic framework for the implementation of the Basel Convention for 2012–2021**

1. The Basel Convention was adopted on March 22, 1989 and entered into force on May 5, 1992. As of October 1, 2020, it has 188 Parties.<sup>1</sup>

2. In the Convention's first decade, the Conference of the Parties conducted an effectiveness evaluation pursuant to Article 15.7 of the Convention.<sup>2</sup> In its second decade, the Conference of the Parties developed a strategic plan,<sup>3</sup> while at the beginning of its third decade, the strategic framework 2012-2021 was developed.<sup>4</sup>

3. This report has been prepared as a result of a request by the Conference of the Parties at its thirteenth meeting,<sup>5</sup> reiterated at its fourteenth meeting,<sup>6</sup> for the Secretariat, in consultation with a small intersessional working group, to prepare a draft report on the final evaluation of the strategic framework for consideration of the Conference of the Parties at its fifteenth meeting.

4. The baseline of the strategic framework for the year 2011 was established by the Conference of the Parties in 2015 through a report of Parties' responses to a questionnaire.<sup>7</sup> Although the Conference of the Parties had earlier requested a mid-term review of the strategic framework,<sup>8</sup> a lack of funding and other factors resulted in no such review being undertaken. At its thirteenth meeting, the Conference of the Parties agreed that the development of this report at the end of the ten-year period of the strategic framework would take place in a two-stage process due to difficulties in collecting relevant data. The first stage was the development of a compilation of sources of data relevant to each indicator in the strategic framework, to serve as sources additional to the results of a baseline questionnaire for 2011 focusing on the elements of the framework, updated recently by 2019 data provided by Parties.

5. As requested by the Conference of the Parties, sources of data in the compilation additional to the questionnaire results have been utilized to assess whether the goals, objectives and indicators have been met over the lifetime of the strategic framework. A lack of data for undertaking this review is a recurrent theme throughout the report, starting with the baseline questionnaire and its more recent iteration, but also through the annual national reports submitted by Parties to the Secretariat, where the reporting rate has improved only slightly over the lifetime of the strategic framework from 51% to 55%. Data limitations are pointed out in the section of the report where they arise. Throughout the report, where the indicators did not appear to relate to the objective or goal, some effort was made to provide information that did so relate, from the sources noted above.

6. Other sources of quantitative data are the classification of Parties' compliance performance with national reporting obligations conducted by the Committee Administering the Mechanism for Promoting Implementation and Compliance ('the Implementation and Compliance Committee'), and the publication called "Waste Without Frontiers II", prepared by the Secretariat, utilizing data from Basel Convention national reports and supplementing them with data from the Organisation for Economic Cooperation and Development (OECD), Eurostat and the UN Statistics Division (UNSD). Sources of qualitative data include: decisions of the Conference of the Parties, such as those adopting technical guidelines and guidance manuals; work of the Implementation and Compliance Committee; technical assistance activities by the Secretariat reported to the Conference of the Parties; activity reports of the Basel Convention Regional Centres provided to the Conference of the Parties; and other reports of this nature.

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<sup>1</sup> Although this is the number of Parties immediately after the online segment of the twelfth meeting of the Open-ended Working Group, the statistics in this report, unless otherwise noted, were based on 187 Parties, which was the case when the report was first prepared in February 2020.

<sup>2</sup> Decision III/10.

<sup>3</sup> Decision VI/1; the strategic plan is contained in UNEP/CHW.6/3.

<sup>4</sup> Decision BC-10/2. The strategic framework is contained in Appendix I to this report.

<sup>5</sup> Decision BC-13/1.

<sup>6</sup> Decision BC-14/1.

<sup>7</sup> UNEP/CHW.12/INF/5.

<sup>8</sup> Decision BC-11/2.

## Overall outcomes of the final evaluation of the strategic framework

7. The evaluation of the strategic framework has been structured according to the strategic goals and objectives of the framework. For each objective, data from the baseline year (2011) and 2019 (or as late as information was available) have been compared and analysed and main findings, conclusions and recommendations are presented. These are followed by a chapter on overarching main findings, conclusions and recommendations.

8. The goals of the strategic framework are:

**Goal 1:** Effective implementation of Parties' obligations on transboundary movements of hazardous and other wastes

**Goal 2:** Strengthening the environmentally sound management of hazardous and other wastes

**Goal 3:** Promoting the implementation of ESM of hazardous and other wastes as an essential contribution to the attainment of sustainable livelihood, the Millennium Development Goals and the protection of human health and the environment

## Main findings, conclusions and recommendations by objective of the strategic framework

The main findings and conclusions are listed by objective of the strategic framework, and summarized below, followed by the relevant recommendation(s).

### **Objective 1.1: To reach a common understanding among Parties of the definition, interpretation and terminology of wastes covered by the Convention, including the distinction between wastes and non-wastes**

*Indicator: The number of agreed technical guidelines that assist Parties in reaching a common understanding on definitions, interpretations and terminologies covered by the Basel Convention*

9. The Convention has been successful in developing technical guidelines that enhance the Parties' common understandings, as well as other guidance documents, manuals, and a glossary of terms, and a review of Convention annexes is underway to add legal clarity to the scope of the Convention, including the distinction between wastes and non-wastes. This is particularly true of the e-waste guidelines, in which the Conference of the Parties has invested a significant level of effort over the lifespan of the strategic framework and adopted them on an interim basis, thus allowing the Parties to use and test them, including on the waste/non-waste distinction.

10. Some sources of information indicate that some Parties may not be using the technical guidelines. Further active efforts need to be made to encourage the use of technical guidelines by Parties.

11. The number of technical assistance activities conducted by the Secretariat on technical guidelines has gone down when compared with the baseline year, as have budgetary allocations on the environmentally sound management of priority waste streams, and current reporting to the Conference of the Parties does not link proposed activities to the strategic framework. Linking decisions by the Conference of the Parties on technical guidelines and programme and budget to the strategic framework could result in the relative priority of technical guidelines being better reflected in budget allocations. Secretariat reports on technical assistance could be improved, including by providing links between such activities and the relevant element of the strategic framework.

12. The contribution of the BCRCs to promoting common understandings on technical guidelines can be very high, but the amount of information presented to the Conference of the Parties in the compilation of the BCRC activity reports was limited and was not linked to the strategic framework. To promote a key role of the BCRCs in the dissemination of and training on technical guidelines, efforts need to be undertaken to link BCRC activities to relevant elements of any future strategic framework and reflect this in more targeted reports presented to the Conference of the Parties.

13. **Recommendation:** (i) A standard part of every decision adopting a new guideline or a substantially updated guideline should continue to be that the Secretariat provide training on it; (ii) after adoption of a technical guideline, it should be disseminated to all Parties, and a webinar or other training offered by the Secretariat for all relevant regions; and (iii) a short document should be prepared that explains how the guidelines can be used at the national level, and made a part of each training session. Such activities would need to be included in budget activity fact sheets of upcoming biennia and included in the proposed work programme and budget and other relevant meeting documents prepared by the Secretariat for consideration by the Conference of the Parties.

14. **Recommendation:** Should this objective be retained in a future strategic framework, this broad range of technical and other guidance, along with the review of the annexes, should be used to develop an improved indicator for this objective in future frameworks. Upon completion of the review of the annexes, consideration should also be given to updating the glossary of terms and other relevant documents about the control system.

15. **Recommendation:** The Conference of the Parties, by linking its decisions to the strategic framework: (i) could more easily monitor and measure outcomes, including on whether funding for technical assistance activities on technical guidelines is sufficient or directed at the right guidelines, and (ii) could request the Secretariat to ensure that its reporting on technical assistance activities is improved by linking it to the next strategic framework and better reflecting the relative complexity of technical assistance activities.

16. **Recommendation:** Should a new strategic framework be developed, the Conference of the Parties should ensure that the BCRCs link their activities to an element of the strategic framework as part of the evaluation criteria for the BCRCs and be presented in more detail.

17. **Recommendation:** Efforts to finalize the e-waste technical guidelines should continue.

#### **Objective 1.2: To prevent and combat illegal traffic in hazardous and other wastes**

**Indicator: Parties have reached an adequate level of administrative and technical capacity (in the form of Customs, police, environmental enforcement and port authorities, among others) to prevent and combat illegal traffic and judicial capacity to deal with cases of illegal traffic.**

##### **Sub-indicators**

- **Number of Parties that develop and execute training programmes for the staff involved;**
- **Number of controls and inspections carried out.**

18. It is difficult to assess progress under the indicator and sub-indicators, due to a shortage of data on levels of administrative and technical capacity in Parties. A reporting level of only 55% in 2017 limits the amount of information provided by Parties, and few aspects of the indicator and sub-indicators were addressed in such reports.<sup>9</sup> Based on data from the baseline and 2019 questionnaires, it would appear that there was a slight reduction in the number of Parties with adequate levels of administrative and technical capacity to prevent and combat illegal traffic, including judicial capacity; the number of Parties reporting taking control actions increased from 53% of respondents to 88%; the number of training programmes has remained constant. Nevertheless, while current data provides a very limited picture, it would appear that a significant number of Parties still face gaps in their capacity to prevent and combat illegal traffic as set out in the indicator.

19. Levels of illegal traffic are difficult to establish at this time, and little data is available from 2011 because the reporting format did not request this information. A mandate has been given to the Implementation and Compliance Committee to undertake a scoping exercise about the extent of illegal traffic based on new table 9 of the reporting format and other data. This mandate is expected to provide the Conference of the Parties with a better sense of these statistics at its fifteenth meeting.

20. In the strategic framework there is no indicator on national legislation, even though levels of legislative implementation and border control appear at this time to hover between only 50% and 60% of Parties. Trafficking in hazardous wastes or other wastes is not illegal in any jurisdiction without legislation, and therefore legislation is a fundamental underpinning in achieving this objective, and its overarching goal of effective implementation of Parties' obligations on transboundary movements of hazardous and other wastes.

21. There is no indicator about judicial capacity, even though a number of Parties continue to indicate they lack such capacity, and data on the number of border controls was asked in the 2011 reporting format, but is no longer requested. Any future strategic framework and/or effectiveness evaluation should consider other indicators, such as on judicial capacity or border controls, and should identify the source of such information at the time the indicator is adopted.

22. There is no indicator about the designation of competent authorities, the backbone of the control system, although through Secretariat monitoring and follow-up the designation of national focal points is at 100% compliance and competent authorities at 99% compliance. The Secretariat should continue to monitor the situation of focal points and competent authorities.

<sup>9</sup> Please note that since the cut-off date of December 2019 for the 2017 reports, four more Parties reported, bringing the total of Parties reporting up to 104 (57%).

23. Parties continue to identify illegal traffic as a concern, but there has been a decrease in the percentage of technical assistance activities focusing on illegal traffic held over the lifetime of the strategic framework. While the programme of work and budget for the 2020-21 biennium sets out a number of training activities on illegal traffic, technical assistance, activities are subject to voluntary funding being available. The Implementation and Compliance Committee has also been mandated with a range of activities related to identifying challenges faced by Parties to prevent and combat illegal traffic and how to overcome them. Levels of illegal traffic will be better known after the Committee has completed the activities of its 2020-2021 work programme. As regards legislation in particular, possible sources of technical assistance are described in the discussion under objective 2.1 below.

24. The Conference of the Parties through the Implementation and Compliance Committee has ensured that multiple guidance manuals are available to Parties, thus enhancing collective capacity and promoting harmonized approaches to illegal traffic, the most recent being on Article 9 adopted at the thirteenth meeting of the Conference of the Parties. No new manuals appear to be needed at this time.

25. **Recommendation:** See recommendations below about reporting (objective 1.4), information-gathering (overarching recommendations) and indicators (overarching recommendations).

26. **Recommendation:** The Conference of the Parties should consider incorporating in any future strategic framework addressing illegal traffic a clear indicator on legislation that measures the number of Parties who have legislation that fully implements the Basel Convention, as well as other indicators noted above and any others suggested by the work of the Implementation and Compliance Committee from its current work programme, subject to having an available information source for them.

27. **Recommendation:** The number, type and geographic location of training activities in the 2022-2023 biennium should be guided by the outcome of the Committee's activities, including the scoping exercise. Given limited voluntary funding for these activities, the approach to training on illegal traffic could emphasize as a first step, for those Parties lacking it, training on national legislation implementing the Convention. For Parties with national legislation, training on border enforcement and prosecution of illegal traffic cases are appropriate as they have the legal basis in place for these activities.

28. **Recommendation:** The Implementation and Compliance Committee should use its standing mandate on review and updating of reports to verify whether those earlier manuals/guidance need to be updated.

**Objective 1.3: To improve performance in meeting requirements pertaining to, among other things, notifications of national definitions of hazardous and other wastes, prohibitions and other control measures**

***Indicator: Percentage of Parties that have notified national definitions of hazardous wastes to the Secretariat in accordance with Article 3 of the Basel Convention***

29. Based on available information, apart from the designation of national focal points and competent authorities, it is likely that approximately only 50% to 60% of Parties have implemented all required elements of the control system. The indicator of the percentage of Parties that have notified national definitions of hazardous wastes to the Secretariat is not helpful in determining whether the goal has been achieved, i.e. "Effective implementation of Parties' obligations on transboundary movements of hazardous and other wastes".

30. The current indicator this does not provide information relevant to the objective. With some tightening of the current objective, and additional indicators such as competent authorities and legislative implementation, a more accurate analysis could be provided about whether the goal has been achieved, but this would also be predicated on having higher levels of reported information to provide a sounder basis of assessment over time.

31. **Recommendation:** The Conference of the Parties in any future strategic framework could consider some of the elements of the control system utilized in the analysis of this objective to develop more meaningful indicators for this goal.

32. **Recommendation:** An indicator could be designed to measure the trend regarding the occurrence of cases misidentified as illegal traffic, resulting from the failure of a State to notify wastes, other than those listed in Annexes I and II, considered or defined as hazardous under its national legislation and any requirements concerning transboundary movement procedures applicable to such wastes.

33. **Recommendation:** See recommendations related to reporting under objective 1.4 below.

34. **Recommendation:** See recommendations related to legislation under objective 2.1 below.

**Objective 1.4: To generate, provide, collect, transmit and use reliable qualitative and quantitative information and data regarding export, import and generation as required under Article 13 of the Convention.**

**Indicator: Percentage of Parties reporting information to the Secretariat under Article 13.**

35. Reporting under the Convention has increased by 10% over the life of the strategic framework, from 51% of Parties in 2011 to 61% of Parties for the year 2016. The fact that 39% of Parties are not reporting has resulted in a significant data gap for purposes of this review of progress under the strategic framework and has been identified as a “serious” systemic problem by the Implementation and Compliance Committee. It will also limit the Convention’s ability to contribute data to assessing achievement of the targets under the Sustainable Development Goals.

36. As noted by the Implementation and Compliance Committee, the main national circumstances resulting in a failure to report are the lack of national inventories, the lack of national legislation, and lack of capacity. In addition, there appears to be a lack of understanding of benefits of reporting and of a lack of consequences for non-reporting. Efforts to improve levels of national reporting should be targeted towards these findings.

37. **Recommendation:** The Conference of the Parties at its fifteenth meeting should urgently consider additional strategies for improving annual reporting, taking into account the outcome of the classification of compliance performance for 2016 and 2017, and including the results of the work done under the mandate given to the Implementation and Compliance Committee to “consider elaborating and further assessing measures not included under paragraphs 20 (a) and (b) of the terms of reference of the Committee that may be required when a Party has not submitted its national report for two or more years since the report due in 2016...”.

38. **Recommendation:** For purposes of a future strategic framework, clear step-wise indicators and/or other parameters for measuring reporting (e.g. targets) should be outlined from the beginning of the framework until the 2030 date of the Sustainable Development Goals, with a projected progression over that period.<sup>10</sup>

39. **Recommendation:** Technical assistance activities of both the Secretariat and the regional centres should prioritize the development of capacity for Parties to develop national inventories and national legislation hand-in-hand in order to build on the approach taken by the Implementation and Compliance Committee in individual cases of non-reporting.

40. **Recommendation:** Moreover, the Conference of the Parties should give due consideration to recommendations from the Implementation and Compliance Committee regarding further measures not included under paragraphs 20 (a) and (b) of the terms of reference of the Committee that may be required when a Party has not submitted its national report for two or more years since the report due in 2016.

**Objective 2.1: To pursue the development of environmentally sound management of hazardous and other wastes, especially through the preparation of technical guidelines, and to promote its implementation in national legislation**

**Indicator: Number of Parties with national hazardous waste management strategies or plans in place.**

**Sub-indicator: Number of guidelines on environmentally sound management of wastes developed.**

41. Based on annual reports and the questionnaires completed by fewer than half the Parties, it is difficult to assess the exact percentage of Parties who have national hazardous waste management strategies or plans in place (the indicator), but no more than 61% per cent of the Parties have so reported, only a 10% increase since 2011. If one takes a broader look at the sub-indicator (which addresses the number of guidelines developed on environmentally sound management, a successful

<sup>10</sup> See, for example, the Strategic Plan adopted by the Parties to both the 1996 Protocol to the 1972 Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972 and the Convention, by the meetings of their 11<sup>th</sup> and 38<sup>th</sup> governing bodies, respectively, where targets were staged to be achieved from the date of adoption in 2016 to the SDG target date of 2030. For reporting the targets are: “By 2022 75% of Parties report; by 2026: 85% of Parties report; by 2030: 100% of Parties report.”  
[http://www.imo.org/en/OurWork/Environment/LCLP/Documents/Strategic%20Plan%20leaflet\\_final\\_web.pdf](http://www.imo.org/en/OurWork/Environment/LCLP/Documents/Strategic%20Plan%20leaflet_final_web.pdf).

collective Convention activity described under objective 1.1 and 2.4), the work of the expert working group on environmentally sound management over the past decade produced a number of products under the ESM Toolkit and successfully completed its mandate. There is no indicator on legislation, even though the objective is about pursuing environmentally sound management of hazardous and other wastes and promoting it in national legislation.

42. Collective activities on technical guidelines and the broader examination of environmentally sound management through the expert working group on environmentally sound management have provided Parties with guidance on different aspects of environmentally sound management of various waste streams subject to the Convention. However, the focus of the objective—promoting it in national legislation—is not the subject of an indicator. The indicator on national strategies and plans is not currently associated with a source of that information, unless one assumes that information reported in annual reports about national strategies and plans on reduction is a surrogate for that data.

43. Almost thirty years after entry into force of the Convention, the development of legislation implementing the provisions of the Convention is still lacking among a significant number of Parties. Data, however, is incomplete due to the lack of national reporting and other reasons canvassed above in the discussion under objective 1.4. Parties without legislation have difficulty reporting as they have no legal basis upon which to compel the provision of information by national actors, and to create national inventories. Lack of legislation also complicates the implementation and enforcement of the control procedure and Parties' ability to manage their borders. Recent documents developed by the Implementation and Compliance Committee can assist Parties in the development of national legislation. There is currently no mandate for the Implementation and Compliance Committee to undertake a comprehensive approach to identifying Parties without legislation implementing the Convention.

44. The development of legislation implementing the provisions of the Convention continues to be a significant problem for the success of the Basel Convention in achieving its objectives and the goals set out in the strategic framework. However, as there is currently no mechanism under the Convention to review whether Parties have national legislation implementing the Convention, or assessing legislation submitted as implementing the Convention, future work should focus on a more comprehensive approach to identifying which Parties appear most in need of assistance with legislation, and providing a Party by Party review.

45. **Recommendation:** Given the broad range of areas of the Convention impacted through the lack of legislation, including illegal traffic, inventories, and national reporting, the existence of legislation implementing the Convention should appear more prominent in the objectives, and any further work within such a strategic framework context should have an indicator related to Parties with legislation implementing the Convention, including performance in legislative implementation as a keystone objective. (same recommendation as in paragraph 89 under Overarching main findings, conclusions and recommendations in this Executive Summary)

46. **Recommendation:** To address this significant problem, the Conference of the Parties at its fifteenth meeting could entrust the Implementation and Compliance Committee to review, within available resources and according to COP priorities established for each biennium, Parties' implementation of the Convention into national law, for consideration of the Conference of the Parties at its sixteenth and subsequent meetings. Appropriate budgetary allocations in the budget to provide support for the Implementation and Compliance Committee to undertake this work, along with allocations in the technical assistance budget specifically for implementation of the Basel Convention to help individual Parties, are recommended. (same recommendation as in paragraph 90 under Overarching main findings, conclusions and recommendations in this Executive Summary)

**Objective 2.2: To pursue the prevention and minimization of hazardous waste and other waste generation at source, especially through supporting and promoting activities designed to reduce at the national level the generation and hazard potential of hazardous and other wastes**

**Indicator: Number of Parties that have developed and implemented national strategies, plans or programmes for reducing the generation and hazard potential of hazardous and other wastes**

47. Through annual national reports, 46.5% of Parties in 2011 and 52% of the Parties in 2017 indicated that they have developed and implemented national strategies, plans or programmes for reducing the generation and hazardous potential of hazardous and other wastes (the indicator). This number exceeds the number of Parties implementing systems for measuring hazardous waste generation (the sub-indicator). Reporting on generation of hazardous and other wastes has improved substantially as of 2016, even though it is no longer required for Parties to provide generation data.

However, it is important to note that 53% of Parties provided this data overall in 2016. This has related implications for contributing data to inform progress under the Sustainable Development Goals. Thus, to the extent that hazardous and other waste generation data is considered significant for measuring progress under the Convention, more needs to be done to enable Parties to measure and report on it.

48. As set out in Waste Without Frontiers II, hazardous and other waste generation continues to grow at the global level, although not in every classification of country. Overall, hazardous waste generation increased by 50% between 2007 and 2015, and although the numbers are less robust due to comparability of data, there has been an estimated 12% increase in “other waste” generation.

49. Challenges exist in comparability of reported data on wastes collected from households between Parties resulting from differences in definitions and concepts that are used. Waste Without Frontiers II pointed out that this challenge could be addressed through the Basel Convention household waste partnership.

50. **Recommendation:** Should the Conference of the Parties wish to take further action, it could: (i) seek the provision of waste generation data once every four years, (ii) update the Waste Without Frontiers II report in the 2021-22 biennium to serve in part as an existing baseline information on generation and other statistics for the next strategic framework.

51. **Recommendation:** A continued focus is needed under the Convention on the types of national strategies and plans, including inventories and legislation, that are measurable for purposes of a future strategic framework and will result in reductions in hazardous and other waste generation. Best practices from Parties achieving both should be showcased, but refined to suit the needs of a wider range of economies, and retained in the data base mentioned under the second recommendation under objective 2.3 below.

52. **Recommendation:** In considering the overall guidance document on the environmentally sound management of household waste under development by the Basel Convention household waste partnership, the Conference of the Parties at its fifteenth meeting could address the issue of differences in definitions and concepts that are used to define wastes collected from households to help better assess the issue of generation of household/“other” wastes, as recommended in Waste Without Frontiers II.

**Objective 2.3: To support and promote capacity-building for Parties, including technological capability, through technology needs assessments and technology transfer, so as to reduce the generation and hazard potential of hazardous and other wastes**

*Indicator: Number of Parties that have developed and implemented national strategies, plans or programmes for hazardous waste minimization*

*Sub-indicators:*

*- Number of Parties receiving capacity-building support that report reductions in hazardous waste generation;*

*- Number of Parties receiving capacity-building support for hazardous waste minimization.*

53. Data show that hazardous waste and other waste generation continues to grow at the global level. While there have not been significant numbers of capacity-building efforts over the decade regarding waste reduction and minimization, there has been a slight upward trend in the regional technical assistance projects in this regard, especially in the area of plastics. There has been attention paid by the Conference of the Parties to hazardous waste reduction and minimization over the decade starting with the Cartagena Declaration, and a significant increase in the number of guidance documents or manuals directed at this question. A few workshops have been held and resulted in valuable lessons learned. As a result of the 2019 questionnaire, further examples of waste prevention and minimization systems have been shared. It will take some time for Parties to be able to consider such guidance and integrate it into national waste management plans and strategies. In the meantime, lessons learned can be utilized to refine existing guidance and develop further activities on hazardous and other waste prevention and minimization.

54. Inventories are a key basis for understanding national generation statistics and assisting Parties in reporting as required under the Convention. To be able to compel the provision of the necessary data from the private sector, gathering of data at the national level must be grounded in national hazardous waste management laws. Thus, to improve inventories, the development of inventories could work hand-in-hand with the development of national legislation, as has been done by the Implementation and Compliance Committee.



55. **Recommendations:** To build on the data base of examples of waste prevention and minimization systems on the Convention website<sup>11</sup> and submissions made to the 2019 questionnaire, Parties could again be invited to share successful national examples of waste reduction and minimization efforts. The Secretariat in its next workshops on waste prevention and minimization systems could work with developing country Parties to further refine existing best practices from developed country economies, and developing countries, where these exist, into models that are workable for their particular circumstances, including those of small island developing states and those Parties experiencing the largest increases in generation according to Waste Without Frontiers II, building on existing guidance and the database. Waste Without Frontiers II could be further publicized so that Parties can benefit from its data and conclusions.

56. **Recommendation:** Future technical assistance activities by the Secretariat relating to inventories should be linked with the development of national implementing legislation, and vice versa.

**Objective 2.4: To facilitate national, regional and international commitment with regard to the management of priority waste streams, as identified in the programme of work of the Convention, taking into consideration the priorities of developing countries and countries with economies in transition and in accordance with the requirements of the Convention**

*Indicator: Number of programmes, projects or activities carried out by Parties, jointly with other Parties or together with other stakeholders (regional and international organizations, conventions, industry bodies, etc.), aimed at the environmentally sound management of priority waste streams that have been monitored and assessed to achieve this goal*

57. In general, the approach by the Conference of the Parties, using the Open-ended Working Group, small intersessional working groups and lead countries, has been very successful in keeping pace with demands of new and updated technical guidelines on priority waste streams.

58. A number of older technical guidelines identified in table 21 have not been translated into all six UN languages nor recently updated. It is up to the Conference of the Parties to decide on starting work on updating technical guidelines and to request the Secretariat to arrange for translating guidelines where appropriate, as well as to allocate the corresponding budget.

59. Post-guideline adoption activities requested by the Conference of the Parties have become more sophisticated and numerous, including training for Parties on adopted guidelines, but “subject to available resources” i.e. voluntary funding. As the development of technical guidelines is a core activity of the Convention, enhancement of the dissemination of, and training and technical assistance activities (e.g. pilot projects) on, adopted guidelines appears fitting.

60. Basel Convention Parties have benefited substantially from funding from the Global Environment facility linked to POPs and mercury wastes, where the GEF serves as the financial mechanism for the Stockholm and Minamata Conventions. Information on the amounts spent on waste management of these priority waste streams are contained in GEF reports to the Conference of the Parties, reports for the GEF Independent Evaluation Office as appropriate, or in mid-term and terminal evaluation reports of the respective projects as prepared by the respective GEF implementing agencies. Such information could be derived through a desk study to provide stronger baseline data to inform any future strategic frameworks and/or effectiveness evaluation.

61. **Recommendation:** The current approach to establishing work on technical guidelines on priority waste streams has been successful and should continue. Update or development of future technical guidelines should be prioritized according to their relevance for the fulfillment of the objectives and related indicators of a future strategic framework.

62. **Recommendation:** Any Party concerned with the updating or translation of any Basel technical guideline should draw this to the attention of the Conference of the Parties.

63. **Recommendation:** The Conference of the Parties should consider prioritizing the enhancement of the dissemination of, and training and other technical assistance activities on, adopted technical guidelines.

64. **Recommendation:** Should the Conference of the Parties wish to develop another strategic framework and/or effectiveness evaluation, baseline data in this regard could be obtained through a desk study analyzing various information sources to further assess how much funds are spent on waste management of these priority waste streams.

<sup>11</sup> <http://www.basel.int/Implementation/CartagenaDeclaration/Overview/tabid/5854/Default.aspx?>

**Objective 2.5: To enhance and promote the sustainable use of resources by improving the management of hazardous and other wastes and to encourage the recognition of wastes as a resource, where appropriate**

*Indicator: Percentage of Parties that collect information on the generation, management and disposal of hazardous and other wastes.*

*Sub-indicators:*

- *Number of training and awareness-raising activities undertaken to enhance and promote the sustainable use of resources;*
- *Percentage of Parties that require the separation of hazardous wastes from non-hazardous other wastes;*
- *Percentage of Parties that have national inventories on the generation and disposal of hazardous wastes and other wastes;*
- *Percentage of selected Convention waste streams reused, recycled or recovered.*

65. The data necessary to determine whether the indicator and sub-indicators for objective 2.5 are being met are for the most part quite limited. Basic data on national generation and recycling levels is quite limited. Further, the reporting format does not request much of the information that would be required for purposes of the sub-indicators for objective 2.5.

66. **Recommendation:** Should the Conference of the Parties wish to have such information for purpose of a similar objective on sustainable use under the next strategic framework, it would be useful to have an associated source of the information at the time the indicator is agreed.

**Objective 3.1: To develop national and regional capacity, particularly through the Basel Convention regional and coordinating centres, by integrating waste management issues into national sustainable development strategies and plans for sustainable livelihood**

*Indicator: Number of Parties reporting, through the Secretariat, to the Conference of Parties on the integration of waste and hazardous waste issues into their national development plans or strategies.*

67. Despite a mandate by the Conference of the Parties to assist Parties upon request to integrate waste management issues into their national sustainable development plans, no funding has been provided for this and no Parties have requested such assistance. When asked through the two questionnaires, a substantial number of Parties indicated having already done so. There is currently little activity under the Basel Convention related to assisting Parties to integrate waste management issues into national sustainable development strategies. However, a first mandate has been given to the Implementation and Compliance Committee with respect to national reporting and the Development Frameworks.

68. The data currently available under the Convention, as set out in this report, in particular the low levels of reporting and legislative implementation, appears sufficient to conclude that target 12.4 under SDG 12 (the environmentally sound management of all wastes throughout their life cycle by 2020) has not been achieved with respect to waste covered by the Basel Convention. If current reporting levels persist in 2030, the data available under the Convention from annual national reports will not likely be sufficient to contribute towards an assessment in 2030 of whether SDG target 12.5 (by 2030, substantially reduce waste generation through prevention, reduction, recycling and reuse) has been met. Data for the SDG global indicator 12.4.2 (hazardous waste generated per capita and proportion of hazardous waste treated, by type of treatment) and 12.5.1 (national recycling rate, tons of material recycled) is not yet available as the methodology for gathering it is still under development. An improved methodology is necessary to provide data which is critical to measuring progress under the Convention and for the SDGs.

69. **Recommendation:** With a view to improving the implementation of the Convention and taking into account the outcome of the work of the Implementation and Compliance Committee under its work programme on improving national reporting, the Conference of the Parties could provide guidance on how individual Parties can integrate their needs under the Basel Convention into their Sustainable Development Cooperation Frameworks.

70. **Recommendation:** See above recommendation for objective 1.4 on reporting.

71. **Recommendation:** A next iteration of Waste Without Frontiers II could be used as the baseline data for the next strategic framework, and if such a framework (including on reporting targets) were

aligned with the 2030 SDG target date, increases in reporting internal to the Convention could contribute to assessing the global situation under the SDGs.

**Objective 3.2: To promote cooperation with national, regional and international bodies, in particular cooperation and coordination between the Basel, Rotterdam and Stockholm conventions, to improve environmental and working conditions through the environmentally sound management of hazardous and other wastes.**

*Indicator: Number of activities on common issues undertaken by the bodies under the three Conventions.*

72. Over the period of the strategic framework, cooperation and coordination between the Basel, Rotterdam and Stockholm Convention, mindful of the legal autonomy of the three conventions, has resulted in a joint Secretariat, (for the UNEP-administered secretariats), joint bureaux meetings, and back-to-back meetings of the conferences of the Parties where administrative, legal, technical and programmatic cooperation and coordination takes place wherever feasible. At the most recent back-to-back conferences of the Parties, for the first time there was no specific decision on cooperation and coordination between the Conventions, with separate decisions on specific areas of cooperation and coordination. Cooperation and coordination among the three conventions, a focus of activity over the lifetime of the strategic framework, has become a standard manner of conducting business for the three conventions.

73. **Recommendation:** With cooperation and coordination among the three conventions having become the standard manner of conducting business under the three conventions, a possible future strategic framework and/or effectiveness evaluation should not have as a specific objective the promotion of cooperation and coordination between the Basel, Rotterdam and Stockholm conventions.

### **Overarching main findings, conclusions and recommendations**

Overarching main findings and conclusions are summarized as follows, with recommendations at the end of each section:

#### *Process of developing the next strategic framework and/or effectiveness evaluation*

74. The fourteenth meeting of the Conference of the Parties provided the terms of reference for completing this report, but did not decide on a possible next strategic framework. The Conference of the Parties could consider whether there would be merit in developing a new strategic framework and/or effectiveness evaluation, building on the main findings, conclusions and recommendations of this report, as well as lessons learned in its preparation.<sup>12</sup> Moreover, it may be timely for the Conference of the Parties to revisit paragraph 7 of Article 15 of the Convention which asks for an evaluation of the effectiveness of the Convention to take place every 6 years. Since its third meeting in 1995, no such evaluation has taken place. The development of a future strategic framework and/or effectiveness evaluation of the Convention could be launched by the Conference of the Parties, building on the results of this review. Until the next strategic framework is developed, activities and budget allocation could be prioritized according to the main conclusions and recommendations of the current report.

75. **Recommendation:** The Conference of the Parties may wish to consider whether to start work on a future strategic framework and/or effectiveness evaluation of the Convention, building upon the main findings, conclusions and recommendations of this report, and making the necessary budgetary allocation. Should the Conference of the Parties wish to commence such work, it could usefully be aligned with the 2030 Sustainable Development Goals, in particular targets 12.4 and 12.5, and a general 2030 timing to be in synch with that cycle and contribute towards an assessment of whether those targets are met.<sup>13</sup> In doing so, it would allow the Conference of the Parties to consider how the Basel Convention can add value to more sustainable patterns of consumption and production at the global level, including, but not limited to, the idea of a circular economy. Until the next strategic framework is developed, activities and budget allocation should be prioritized according to the main conclusions and recommendations of the current report.

<sup>12</sup> For example, reports of meetings of the small intersessional working group or submissions from Parties: <http://www.basel.int/tabid/3807/>.

<sup>13</sup> See the Strategic Plan adopted by the Parties to both the 1996 Protocol to the 1972 Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972 and the Convention, where targets were staged to be achieved from the date of adoption in 2016 to 2030. For reporting the targets are: "By 2022 75% of Parties report; by 2026: 85% of Parties report; by 2030: 100% of Parties report."

76. *Process of developing a next strategic framework and/or effectiveness evaluation: sources of information underpinning indicators should be agreed at the same time as the indicators* The failure to identify sources of information at the time of adopting indicators hampered the process of evaluating progress under this strategic framework, as in many cases there were non-existent or insufficient sources of relevant information by which to measure progress. In the process of developing a next strategic framework and/or effectiveness evaluation, sources of information underpinning an indicator should be agreed by Parties at the same time as the indicator.

77. **Recommendation:** The Conference of the Parties should consider, in the development of the next strategic framework and/or effectiveness evaluation, that relevant information sources underpinning the indicators and sub-indicators in that framework should be agreed at the same time as the indicators and sub-indicators, focusing on existing information sources, and taking decisions in this respect.

*Process of developing a next strategic framework and/or effectiveness evaluation: development of indicators*

78. This strategic framework did not differentiate between process and outcome indicators, and there were insufficient outcome indicators. Other indicators were too broad to provide a measurable or meaningful outcome. More outcome indicators and more measurable indicators in general would have benefited this strategic framework.

79. **Recommendation:** In a next strategic framework and/or effectiveness evaluation, the Conference of the Parties could consider augmenting the number of outcome indicators, drafted in a manner that is measurable.

*Process of developing a next strategic framework and/or effectiveness evaluation: clarity of goals, objectives and indicators*

80. Throughout this review of progress, it became evident that some of the objectives and indicators could have been more precise, along with greater interconnectivity between each other and with the goals. As a result, additional informal “indicators” were provided and assessed to provide a better snapshot of progress. Lessons learned in this review of progress can benefit the development of a possible next strategic and/or effectiveness evaluation.

81. **Recommendation:** This report should be referenced as a background document and be taken into account in the development of a next strategic framework and/or effectiveness evaluation.

*Decisions of the Conference of the Parties*

82. The strategic framework has not been an explicit rallying point for the Basel Convention and decisions of the Conference of the Parties over the last ten years have not been regularly linked to the strategic framework, nor have major documents, such as the Secretariat’s technical assistance plan, the work programme of the Open-ended Working Group, and the work programme of the Implementation and Compliance Committee. A more strategic approach to the work of the Conference of the Parties could be enabled if the Secretariat were requested to frame each proposed decision within the context of any future strategic framework and/or effectiveness evaluation, with a related tracking tool. This would also promote linkages in the programme of work and budget, thus focusing on the means of implementation for the achievement of the goals and objectives of the framework at each Conference of the Parties.

83. **Recommendation:** The Conference of the Parties should consider, should a new strategic framework and/or effectiveness evaluation be developed, whether having each decision and key document reference that framework will provide for a better overall strategic approach to achieving the objectives of the Convention as well as the goals and objectives of a new strategic framework, considering the means of implementation, and tracking progress.

*Gender*

84. There is no reference to gender in the strategic framework. The fourteenth meeting of the Conference of the Parties took note of the updated Gender Action Plan, the second part of which considers what can be done to mainstream gender issues into the programme of work of the Basel, Rotterdam and Stockholm conventions. A strategic framework provides a vehicle for tracking the mainstreaming of gender issues into the programme of work of the Basel Convention.

85. **Recommendation:** Should the Conference of the Parties wish to track gender issues over time, the next strategic framework and/or effectiveness evaluation provides that opportunity.

*Improving data sources*

86. The most recent confirmed reporting rate by Parties in 2016 has improved to 61%, which is still not ideal to inform refined conclusions and recommendations in many areas of the strategic framework and the work of the Convention, as well as insufficient to provide important data for purposes of the Sustainable Development Goals. Responses to the questionnaire specifically developed for the evaluation of the strategic framework could have been higher. Under the Basel Convention improved sources of data are urgently needed in order to enable an improved assessment of progress under the Convention under any future strategic framework and/or effectiveness evaluation.

87. **Recommendation:** Special care must be given to have solid and verifiable baseline data. The Secretariat should be requested to work with the UN Sustainable Development Group<sup>14</sup> and relevant Custodian Agencies to ensure that appropriate linkages are made between the reporting system under the Convention and the one for the Sustainable Development Goals, including commonalities in terminology, to enable data sharing.

*Legislation implementing the Convention*

88. As mentioned above, legislative implementation of the Convention is still lacking among a significant number of Parties, impacting, among others, the capacity to prevent illegal traffic, develop inventories, and provide national reports. Recent documents developed by the Implementation and Compliance Committee can assist Parties in the development of national legislation. There is currently no mandate for the Implementation and Compliance Committee to undertake a comprehensive approach to identifying Parties without legislation implementing the Convention.

89. **Recommendation:** Given the broad range of areas of the Convention impacted through the lack of legislation, including illegal traffic, inventories, and national reporting, the existence of legislation implementing the Convention should appear more prominent in the objectives, and any further work within such a strategic framework context should have an indicator related to Parties with legislation implementing the Convention, including performance in legislative implementation as a keystone objective. (same recommendation as in paragraph 45 under objective 2.1 in this Executive Summary)

90. **Recommendation:** To address this significant problem, the Conference of the Parties at its fifteenth meeting could entrust the Implementation and Compliance Committee to review, within available resources and in accordance with COP priorities established for each biennium, each Party's implementation into national law, for consideration of the Conference of the Parties at its sixteenth and subsequent meeting. Appropriate budgetary allocations in the budget to provide support for the Implementation and Compliance Committee to undertake this work, along with allocations in the technical assistance budget specifically for implementation of the Basel Convention to help individual Parties, are recommended. (same recommendation as in paragraph 46 under objective 2.1 in this Executive Summary)

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<sup>14</sup> Strategic Results Group 1 is responsible for SDG implementation through the UN Department of Economic and Social Affairs (DESA) and the UN Development Programme (UNDP).