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C O N V E N T I O N S

Outcomes of the fifteenth meeting of the Basel Convention Implementation and Compliance Committee and of the first meeting of the Rotterdam Convention Compliance Committee

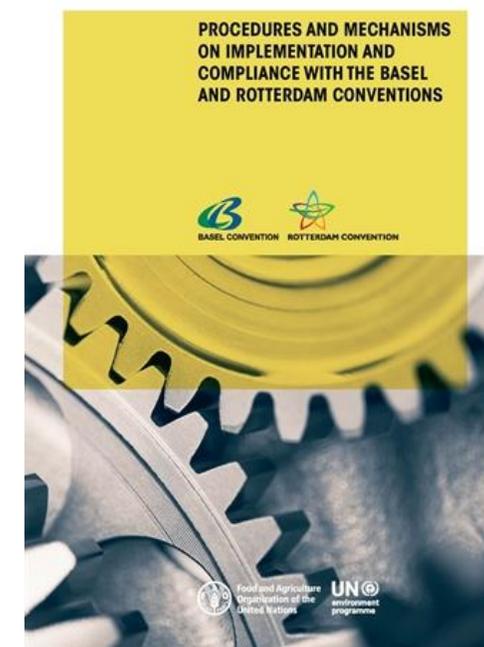
Online
February 2023

Introduction and outline of briefing

- Presentations by Secretariat on
 - Fifteenth meeting of the Basel Convention Implementation and Compliance Committee
 - First meeting of the Rotterdam Convention Compliance Committee
- Questions and answers



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CONVENTIONS





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Fifteenth meeting of the Basel Convention Implementation and Compliance Committee

- 14 – 17 November 2022 in Geneva, Switzerland, including a joint session on issues of common interest with Rotterdam Convention Compliance Committee
- Participation: 15 members, 6 Parties concerned by a submission and 8 observers
- Officers of the Committee
 - Chair: Florisvindo Furtado
 - Vice-Chairs: Hamed Alinejad, Odessa Duncan and Flavius Motoc
 - Rapporteur: Bilqees Esmail
- Issues:
 - **8 specific submissions** regarding Party implementation and compliance
 - Review of prioritized **general issues of implementation and compliance**
 - **Work programme for 2024-2025**



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Specific submissions regarding Party implementation and compliance



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- Focus on 8 of 14 submissions regarding difficulties with national reporting and the development of legislation
- 8 decisions adopted by the ICC:
 - Matter of concern regarding Liberia resolved
 - Review of progress with the implementation of compliance action plans by CAR and Togo
 - Invitation for Mauritania, Cook Islands and Syrian Arab Republic to consider developing a compliance action plan to address national reporting difficulties
 - Invitation for Gabon and Nauru to resume communication with the ICC



General issues of implementation and compliance:

National reporting



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- Draft classifications of compliance performance with national reporting for 2018/2019:
 - 20/25 percent of the Parties transmitted a report complete and on time, against a target of 25 percent;
 - 30/34 percent of the Parties transmitted a report complete whether on time or late, against a target of 50 percent;
 - 58/60 percent of the Parties transmitted a report, against a target of 70 percent.
- Draft classification to be shared with Parties for their feedback, and ICC to prepare revised classifications under its 2024-2025 POW, subject to COP-16 approval



General issues of implementation and compliance: National reporting (cont.)



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CONVENTIONS

- Integration of national reporting needs into United Nations Sustainable Development Cooperation Frameworks
 - Joint issue of common interest with Rotterdam Convention CC
 - Finalization of 2 questionnaires to seek information from Parties and from residents coordinators/UN country teams on their efforts to integrate national reporting needs into Cooperation Frameworks
 - Secretariat to translate in F and S the questionnaire for Parties and to make both questionnaires available
 - Information collected to be considered by ICC under its 2024-2025 POW, subject to COP-16 approval



General issues of implementation and compliance: National reporting (cont.)



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- Dialogue with Basel Convention regional centres and international bodies and organizations
 - Finalization of a questionnaire to collect information on activities of BCRCs and organizations to support Parties with national reporting
 - Information collected to be considered by ICC under its 2024-2025 POW, subject to COP-16 approval, including in the context of a dialogue with the BCRCs, the Executive Board of the Special Programme, UNEP, SAICM and other entities such as FAO, GEF, UNITAR, UNIDO, the World Bank and other relevant financial institutions



General issues of implementation and compliance: National reporting (cont.)



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- Reporting targets, and measures not included under paragraphs 20 (a) and (b) of the terms of reference of the ICC
 - Activities included in the 2024-2025 POW, subject to COP-16 approval



General issues of implementation and compliance:

Illegal traffic



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- Scoping exercise
 - Consideration of a report scoping closed cases of illegal traffic (table 9 of the reporting format) that occurred in 2018 (914 cases) and 2019 (1048 cases);
 - 70% of the 107 and 75% of the 110 reporting Parties indicated that there were no cases of illegal traffic closed in the reporting year;
 - Half of the Parties having reported closed cases of illegal traffic were from WEOG
 - Main waste streams: e-wastes and ELVs
 - Recommendation that COP-16 revise table 9
 - Activities included in the 2024-2025 POW, subject to COP-16 approval



General issues of implementation and compliance: Illegal traffic (cont.)



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- National coordination and communication with Secretariat, and dissemination of BC guidance and tools
 - Finalization of questionnaires for Parties and for international organizations on their activities aimed at assisting Parties in enhancing coordination between their competent authorities and enforcement entities and their activities aimed at disseminating guidance and tools developed under the Convention.
 - Secretariat to translate in F and S the questionnaire for Parties and to make both questionnaires available
 - Information collected to be considered by ICC under its 2024-2025 POW, subject to COP-16 approval



General issues of implementation and compliance: Illegal traffic (cont.)



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- Responses to question 1 (c) of the reporting format on legislation implementing BC
 - Consideration of a report on 110 Parties' answers to question 1 (c) of their 2019 national reports setting draft classification of Parties' compliance performance in relation to the obligations set out in Article 9 of the Convention, using the legislator's checklist
 - Draft classification to be shared with Parties for their feedback, and ICC to prepare revised classification under its 2024-2025 POW, subject to COP-16 approval



General issues of implementation and compliance: Illegal traffic (cont.)



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CONVENTIONS

- Dialogue with BCRCs, international organizations and compliance bodies, and Cooperative arrangements including ENFORCE
 - Activities included in the 2024-2025 POW, subject to COP-16 approval



General issues of implementation and compliance:

National legislation



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- Self-review of legislation implementing the Basel Convention
 - Consideration of 49 Parties' self-review of legislation implementing the Basel Convention using the legislator's checklist
 - 30 of the 49 Parties have indicated that 100% of the provisions of the Convention are reflected in national legislation or implemented administratively
 - Recommendation that COP-16 revise the checklist to add Article 4A (Ban Amendment)
 - Activities included in the 2024-2025 POW, subject to COP-16 approval, including extension of the self review to the Ban Amendment, the Plastic waste amendments and the E-waste amendments



General issues of implementation and compliance: National legislation (cont.)



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- Review of legislation implementing the Basel Convention
 - Consideration of a compilation of answers by 3 Parties to a questionnaire seeking information on the reasons for the lack of legislation or other measures implementing the Convention, and on steps that could be taken to resolve the matter
 - Secretariat requested to send a reminder, in consultation with the relevant regional centre, to the other 20 Parties concerned
 - Activities included in the 2024-2025 POW, subject to COP-16 approval



General issues of implementation and compliance: National legislation (cont.)



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- Texts of national legislation and other measures, Activities of the Secretariat aimed at assisting Parties review or develop legislation implementing the Basel Convention, Activities of other entities aimed at assisting Parties develop legislation implementing the Basel Convention, Recommendations on how to improve implementation of and compliance with paragraph 4 of Article 4 and paragraph 5 of Article 9 of the Convention, and Dialogue with Basel Convention regional centres and international bodies and organizations:
 - Activities included in the 2024-2025 POW, subject to COP-16 approval



General issues of implementation and compliance:

Country contacts



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- Consideration of the status of designation of country contacts:
 - Secretariat requested to follow up with the 3 Parties that have not provided email contact information for their focal points; the 5 Parties that appeared to have no functional contact information for their focal point and the 10 Parties that have 1 non-functional contact although they have transmitted other secondary functional contacts; and the 6 Parties that do not have functional email contact information
 - Secretariat encouraged to initiate consultations with Grenada which has yet to designate its country contacts.
 - Activities included in the 2024-2025 POW, subject to COP-16 approval



General issues of implementation and compliance: Enhanced coordination with the Compliance Committee of the Rotterdam Convention



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- Joint issue of common interest with RC CC
- The ICC:
 - Welcomed the opportunity provided during its meeting to coordinate with the other Committee on matters of joint interest
 - Took note that joint Secretariat support is provided to both committees
 - Requested the Secretariat, on behalf of the Committee, to transmit the report of its meetings to the other Committee
 - Agreed on modalities of participation by the Chair or members at the meetings of the other committee
 - Included activities in the 2024-2025 POW, subject to COP-16 approval



General issues of implementation and compliance: Integration in United Nations Sustainable Development Cooperation Frameworks



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CONVENTIONS

- Initial consideration of the way forward with the development of guidance on how to integrate the implementation of the Convention in UN cooperation frameworks
- Agreement that any such guidance be developed by the ICC in consultation with the Open-ended Working Group.
- Activity included in the 2024-2025 POW, subject to COP-16 approval



General issues of implementation and compliance: Work programme for 2024-2025



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- Draft work programme for 2024-2025 reflecting outcome of ICC-15 circulated to Parties on 26 November 2022 with an invitation to comment by 15 February 2023
- Comments received so far from the EU and its MS, Guatemala and Yemen
(www.basel.int/Implementation/LegalMatters/Compliance/GeneralIssuesActivities/Activities202223/Workprogramme20242025/tabid/9435/Default.aspx)
- 2024-2025 POW and comments received thereon to be considered by COP-16



Other matters: ICC @ COP-16



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- Request for side event on the support provided by the ICC to Parties under its specific submissions mandate





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First meeting of the Rotterdam Convention Compliance Committee

First meeting of the Rotterdam Convention Compliance Committee



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- 16 – 18 November 2022 in Geneva, Switzerland
- 15 members: elected by COP; equitable geographical representation; expertise and specific qualifications in the subject matter covered by the Convention
- Officers elected by Committee (electronically)
 - Chair: Osvaldo Álvarez-Pérez;
 - Vice-Chair: Martin LaCroix;
 - Rapporteur: Mara Curaba



First Meeting of the Rotterdam Convention Compliance Committee



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- **Specific submissions** regarding Party implementation and compliance
- **Systemic issues** of general compliance

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UNEP/FAO/RC/CC.1/1*



**Rotterdam Convention on the Prior
Informed Consent Procedure for
Certain Hazardous Chemicals and
Pesticides in International Trade**

Distr.: General
4 August 2022

English only

**Compliance Committee for the Rotterdam Convention
on the Prior Informed Consent Procedure for Certain
Hazardous Chemicals and Pesticides in International Trade**

First meeting

Geneva, 16–18 November 2022

Item 2 of the provisional agenda

Adoption of the agenda

Provisional agenda¹

1. Opening of the meeting.
2. Adoption of the agenda.

Specific submissions regarding Party implementation and compliance



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- No specific submissions at this meeting: Self-submissions, Party to Party submission, Committee trigger (limited)
- Prioritise work in relation to specific submissions to assist Parties facing most significant challenges; facilitative tool to support Parties



Specific submissions regarding Party implementation and compliance (cont.)



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CONVENTIONS

- **Decision CC-1/1 on specific submissions**
 - Letters to Parties that had not designated a national authority
 - Secretariat to develop (voluntary) template to facilitate transmission of specific submissions
 - Awareness raising activities and technical assistance
 - Explore lessons from other implementation and compliance bodies to inform initiation of CC work



Issues of general compliance



Laws, regulations, policies, procedures and other measures to implement the Rotterdam Convention

- 24 Parties have submitted to Secretariat texts of national legislation or other measures adopted by them to implement and enforce the Convention; **Decision CC-1/2**
- **Recommendations to COP – 11:**
 - COP to request Parties to transmit texts of national legislation and other measures adopted by them to implement and enforce the Convention, specifically texts related to FRA notifications (Article 5(1),(2)), and IRs (Article 10)

Notifications of final regulatory actions

- **Decision CC-1/3:** Questionnaire for Parties on identification of issues being faced by them; Report by the Secretariat (qualitative and quantitative analysis; recommendations for COP) on responses received



Issues of general compliance (cont.)

Exports of chemicals listed in Annex III



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- Lack of information on:
 - challenges with submitting import responses: non-systematic / informal information
 - challenges by exporting Parties with ensuring that exporters within their jurisdiction comply with import responses: no information
- Initiated work in 2022/2023 where some information available
- **Decision CC-1/4:** Secretariat to collect specific information from Parties who had not submitted any import responses and to prepare a report based on responses

Information exchange

- Draft compilation of information exchange options available; further work proposed in next biennium
 - **Decision CC-1/5**
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Issues of general compliance (cont.)



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Information submission

- Joint issue of common interest with Basel Convention ICC
- United Nations Sustainable Development Cooperation Frameworks
- RC CC to monitor developments; Possible explanatory presentation at RCCC-2 meeting
- Welcomed lessons learned from ICC, more time needed to determine how to proceed for RC CC



Issues of general compliance (cont.)



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Enhanced coordination with the Committee administering the Mechanism for Promoting Implementation and Compliance of the Basel Convention

- Joint issue of common interest with Basel Convention ICC
- Took note with appreciation of joint Secretariat support, initial recommended approach while establishing Committee
- **Decision CC-1/6 on enhanced cooperation:** Transmit meeting report; participation in each others' meetings
- **Recommendations to COP – 11:** Encourage Parties to nominate members with experience in the other compliance mechanisms



Draft work programme for 2024-2025



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Work programme for the biennium 2024-2025

- Developed and agreed a draft work programme for 2024-2025; to be considered by COP – 11
- **Consultation with Parties and comments invited** – consultation and comments to COP-11

Venue and dates of the second meeting of the Compliance Committee

- Secretariat entrusted to identify in consultation with Chair, taking into account COP-11 outcomes

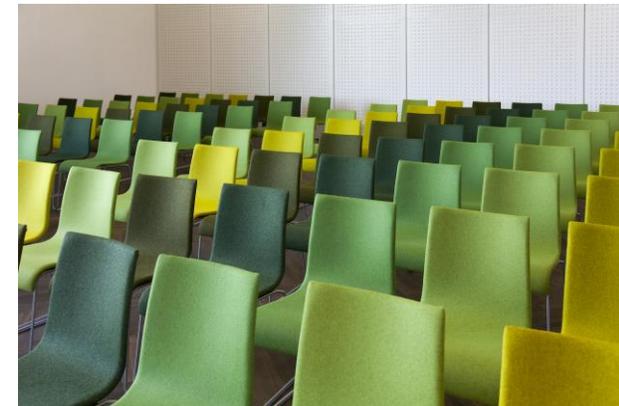
UNEP/FAO/RC/CC.1/10

Annex

Draft Programme of work of the Compliance Committee for the biennium 2024–2025

I. Review of systemic issues of general compliance under the Convention

<i>Systemic issue of general compliance to be addressed</i>	<i>Activity</i>
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Thank you!



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