

COMMUNICATION

ASSESSING IF NOTIFICATIONS, CONSENTS, INSPECTIONS AND ENFORCEMENT OF TRANSBOUNDARY MOVEMENT OF WASTE AND TAKE-BACK PROCEDURES FOR ILLEGAL TRAFFIC REPRESENT ENVIRONMENTALLY SOUND MANAGEMENT

CONSULTANCY ANNOUNCEMENT AND CALL FOR APPLICATIONS BY 11 APRIL 2014

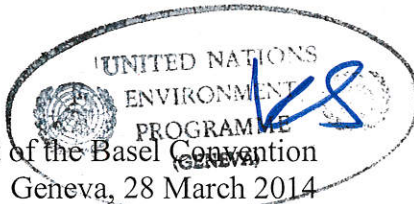
The Secretariat of the Basel Convention refers to decision BC-11/1 on Follow-up to the Indonesian-Swiss country-led initiative to improve the effectiveness of the Basel Convention whereby the eleventh meeting of the Conference of the Parties mandated an expert working group to further elaborate and implement actions on initial short-term work items and to develop a work programme for additional priorities and key work items and actions for the implementation of environmentally sound management (ESM).

The expert working group met in December 2013 and decided on several short-term activities to implement ESM, including the selection of a pilot project for implementation. The Secretariat was requested to retain a consultant to undertake this pilot project.

The Secretariat invites interested candidates to consult the attached terms of reference and to submit their candidature by **11 April 2014** to Ms. Susan Wingfield (susan.wingfield@brsmeas.org) using the P11 form available on the Basel, Rotterdam & Stockholm Conventions Synergies website at: <http://synergies.pops.int/Secretariat/Employment/tabid/2718/language/en-GB/Default.aspx>.

The Secretariat would welcome the assistance of Parties, Signatories as well as the Regional and Coordinating Centres in making this information available to potential candidates.

Thank you in advance for your kind cooperation and assistance in this regard.


Secretariat of the Basel Convention
Geneva, 28 March 2014

To: Focal points and Competent Authorities of Parties and Signatories to the Basel Convention
Basel Convention Regional and Coordinating Centres
Cc: Permanent Missions to the United Nations in Geneva

Terms of Reference

Assessing if notifications, consents, inspections and enforcement of transboundary movement of waste and take-back procedures for illegal traffic represent environmentally sound management

Introduction and background

The Conference of the Parties (COP) to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal adopted, at its eleventh meeting, a framework for the environmentally sound management (ESM)¹ of hazardous wastes and other wastes. This framework:

- Establishes a common understanding of what ESM encompasses;
- Identifies tools to support and promote the implementation of ESM; and,
- Identifies strategies to implement ESM.

The COP also identified additional work to be undertaken to support the implementation of ESM and mandated an expert working group (EWG) to further elaborate and implement actions in that context². The group, in its subsequent work, agreed on a number of short-term actions including the initiation of pilot projects to develop or test procedures and tools that Parties and other stakeholders can use when implementing ESM.

One such pilot project selected by the group for implementation is to assess how competent authorities and other relevant national authorities can improve their procedures and working methods to ensure ESM when:

- (i) assessing a notification and providing consent for import or export of hazardous waste or other waste;
- (ii) carrying out inspections; and,
- (iii) returning shipments of hazardous waste or other waste deemed to be illegal traffic.

As a first step, it is necessary to collect information in a number of developing countries to describe their procedures and working methods and to analyze how these may be improved. When this pilot project specification was developed by the expert working group in December 2013, three countries: Egypt, Tanzania and Madagascar, gave their commitment to host the activities related to the pilot project.

¹ ESM Framework available at:

<http://www.basel.int/Implementation/CountryLedInitiative/EnvironmentallySoundManagement/ESMFramework/tabid/3616/Default.aspx>

² Decision BC-11/1, available at:

<http://www.basel.int/Implementation/CountryLedInitiative/Decisions/tabid/3613/Default.aspx>

Objective

To describe the procedures, workflow and the information sources used when a competent authority and other relevant national authorities are: (i) assessing a notification and providing consent; (ii) carrying out inspections; and (iii) taking back shipments of hazardous waste or other waste deemed to be illegal traffic; and whether such procedures and actions correspond to ESM in three pilot countries (Egypt, Tanzania and Madagascar).

Activities

The project will consist of an analysis of existing procedures, workflows, involved stakeholders and information used by competent authorities and other relevant national authorities in the context of notifications and consents, inspections and enforcement related to imports and exports of hazardous wastes and other wastes. From the analysis, recommendations for the three participating countries on how they could improve the efficiency and effectiveness of their activities to ensure ESM are to be provided. Recommendations will also be provided to the expert working group on possible tools that could be developed to further assist Parties in improving their practices.

In particular, the following analysis will be undertaken in the three participating countries:

(i) Notifications and consents:

- Description of the work flow from the moment a notification is received by the competent authority until the decision is taken if the particular transboundary movement can take place or not;
- Description of the stakeholders³ involved in the process and their roles;
- Description of the process of verification to ensure that the information in the notification represents the factual situation and that the proposed treatment amounts to ESM, as well as verification of the sources of information that are used to come to such conclusions.

(ii) Carrying out inspections:

- Description of procedure applied by authorities (including environmental, customs, ports, maritime authorities) for inspections and enforcement of waste imports/exports and detecting, preventing and detaining illegal traffic;
- Description of the work flow for inspections or enforcement of transboundary movements of waste, in particular imports;
- Procedure for inspection of documentation and physical verification (including laboratory testing, as necessary) of the wastes;
- Storage procedures whilst inspections are carried out;
- Description of the stakeholders involved in the process and their roles.

³ Including different national and local authorities.

(iii) Take back procedures for shipments deemed to be illegal traffic:

- Description of practical application of the procedure for take-back;
- Description of the stakeholders involved in the process and their roles;
- Description of information flow and reporting routines.

(iv) Effectiveness evaluation and recommendations:

- Assessment of the efficiency and effectiveness of the procedures in place, the current application of these procedures and the potential for improvement of those procedures and tools that are being used;
- Recommendations for possible improvements of the procedures put in place and recommendations for tool development under the Basel Convention.

In addition to the above analysis for each participating country, a specific report describing lessons learned and recommendations will also be developed and submitted to the expert working group for its consideration.

Tasks of the Consultant⁴

- (i) Development of a methodology and questionnaires to extract information from participating countries

The consultant will develop a methodology to collect information on current procedures, work flows, stakeholders involved and information used, as well as a method for how to assess their effectiveness and efficiency. The consultant will prepare questionnaires to collect information from participating countries and prepare country visits.

- (ii) Preparation of the three country visits

During the preparation of the country visits, the consultant will analyse information provided by the participating countries on their legal and other relevant procedures, actors involved and working methods. They will also select, in close cooperation with the participating countries, the key stakeholders to be interviewed when visiting the countries and prepare the issues that will be raised during these different interviews.

- (iii) Undertake three country visits

The consultant will visit each participating country once to meet the relevant key stakeholders to complement the information needed for the assessment and evaluation of the systems put in place in the countries.

⁴ The consultant is required to consider and build upon the findings (where relevant) of projects previously undertaken in the participating countries – for example, analyses performed under the Probo Koala Programme in Madagascar and Tanzania. See <http://www.basel.int/Implementation/TechnicalAssistance/Enforcement/tabid/2555/Default.aspx>

(iv) Development of three country reports

The consultant will prepare a country report for each participating country containing a description of the current status as well as an effectiveness evaluation and recommendations for improvement. This report will be signed off by the participating countries and the steering group of the project⁵. The report for Egypt and Tanzania must be drafted in English. The report for Madagascar must be drafted in French.

(v) Development of a general report to the expert working group on ESM

On the basis of the country reports and evaluations, the consultant will prepare a report on the lessons learned, evaluation of existing tools used by Parties in relation to the procedures and activities studied during the project and recommendations as to where there could be merit in developing additional tools in the context of the Basel Convention to assist other Parties in implementing the procedures under the Convention. The consultant will present the outcome of the project and its recommendations to expert working group on ESM. The report and presentation will be drafted in English.

Supportive tasks to be undertaken by the participating countries

The participating countries will undertake to provide the following assistance to the consultant:

- Provide feedback on the proposed methodology and on questions to be asked within the questionnaires;
- Provide available information on the procedures, involved stakeholders and working methods as implemented within their territory;
- Identify the key stakeholders to be interviewed prior to and during the country visit and the facilitation of such interviews;
- Facilitate administrative and visa arrangements for the country visits;
- Arrange a schedule of meetings with key stakeholders so as to allow the consultant to meet all relevant persons within a short time period and without substantial travel inside the country. Preferably the country visits should take no more than 3 – 4 days and be concentrated in one region.
- Provide feedback in a timely manner on the draft country report.

Qualifications

The consultant must have at least 5 years work experience in the field of waste management and transboundary movements of waste, preferably with experience in issues directly related to the Basel Convention. The consultant should have experience in analysing policies, administrative procedures and working processes in a developing country setting, preferably with experience in field work related to waste management in the region. The consultant must have excellent English and French reading and writing skills.

⁵ The project steering group includes representatives of the participating countries, donors, selected members of the expert working group on ESM and the relevant regional centres.

Timeframe

The contract will require approximately **6 months of work** and will commence as soon as the appropriate candidate is identified and selected.