

Geneva, 22 February 2013

Dear Sir/Madam,

Subject: Committee for Administering the Mechanism for Promoting Implementation and Compliance: Invitation for comments by 31 July 2013 on three draft guidance documents

I am writing with reference to the work programme of the Committee for Administering the Mechanism for Promoting Implementation and Compliance for the biennium 2012-2013 which was adopted by decision BC-10/11, more specifically the following activities of that work programme:

1. National reporting: Develop a guide on the development of inventories
2. Control system: Update the guide to the control system adopted in 1998, taking into account the current difficulties faced by countries in implementing the control system;
3. Illegal traffic: Review parties' implementation of and compliance with the take-back provision set forth in paragraph 2 of Article 9 of the Convention, including the difficulties faced by parties, and develop a guidance document based on best practices and suggesting a harmonized approach to the implementation of this provision.

These three activities were considered by the Committee during its ninth meeting from 8 to 9 November 2012 in Geneva.

With respect to the development of a guide on the development of inventories, the Committee considered initial draft guidance on the matter (document UNEP/CHW/CC.9/8). During their discussions, Committee members identified the need to: include step-by-step guidance on how to develop an inventory, for instance as a second part to the current draft; include a template that could be used as a basis for the development of an inventory; encompass all the wastes covered by the Basel Convention ("hazardous" and "other"); and provide concrete examples on how to develop an inventory of two or three specific Basel Convention waste streams. Committee members also saw added value in seeking input from parties on the draft guide and agreed that the next meeting of the Open-ended Working Group would provide a useful forum to undertake consultations with a broad range of parties. The Committee requested the Secretariat to prepare a revised version of the draft guide based on the comments made during the meeting. The Committee also requested the Secretariat to circulate this revised draft guide to all parties and Basel Convention Regional and Coordinating centres (BCRCs) and, to invite parties, the BCRCs and others to comment thereon by 31 July 2013. The Committee also agreed to recommend that the Conference of the Parties, at its eleventh meeting, include in the Committee's work programme for 2014-2015 the request to finalize, including through discussion at the Open-ended Working Group, the development of a guide on the development of inventories for the consideration and possible adoption by the twelfth meeting of the Conference of the Parties.

**To: BC FPs and CAs
BCRCs**

With respect to updating the guide to the control system, the Committee considered a note by the Secretariat (document UNEP/CHW/CC.9/15). The Committee member who had taken the lead on the matter recommended that the current Guide to the Control System (Instruction manual) be revised, so as to tailor it to the needs of the private sector. The Committee member also recommended that the Manual on the Implementation of the Basel Convention also be revised so as to provide a comprehensive manual for authorities involved in the implementation of the Convention. The same Committee member suggested that the revised version of the Guide to the Control System, that they had elaborated, be shared with parties with an invitation for comments. The Committee requested the Secretariat to circulate the draft revised Guide to the Control System to all parties and Basel Convention Regional Centres (BCRCs) and to invite parties, the BCRCs and others to comment thereon by 31 July 2013. The Committee also agreed to recommend that the Conference of the Parties, at its eleventh meeting, include in the Committee's work programme for 2014-2015 the request to finalize, including through consultations with the Open-ended Working Group, the updating of the Guide to the Control System for the consideration and possible adoption by the twelfth meeting of the Conference of the Parties.

With respect to the development of guidance on the take-back provision, the Committee considered a report on parties' implementation and compliance with the Basel Convention take-back provision (paragraph 2 of Article 9), set out in document UNEP/CHW/CC.9/12. Committee members agreed that the development of guidance suggesting a harmonized approach to the implementation of the take-back provision would be very useful to parties. They also considered that the draft guide on the implementation of the take-back provision set out in the document under consideration provided a good basis for the way forward, but needed further work. Committee members also saw added value in seeking parties' input on the draft guide and agreed that the next meeting of the Open-ended Working Group would provide a useful forum to undertake consultations with a broad range of parties. The Committee requested the Secretariat to prepare a revised version of the draft guide based on the comments made during the meeting. The Committee also requested the Secretariat to circulate the draft guide to all parties and Basel Convention Regional Centres (BCRCs) and to invite parties, the BCRCs and others to comment thereon by 31 July 2013. The Committee also agreed to recommend that the Conference of the Parties, at its eleventh meeting, include in the Committee's work programme for 2014-2015, the request to finalize, including through discussions at the Open-ended Working Group, the development of guidance on the take-back provision for the consideration and possible adoption by the twelfth meeting of the Conference of the Parties.

As requested by the Committee, the Secretariat is hereby communicating to parties and BCRCs three drafts of guidance documents prepared by the Committee:

1. A preliminary draft methodological guide for the development of inventories of hazardous wastes and other wastes under the Basel Convention
2. A draft revised guide to the control system, and
3. Draft guidance on the implementation of the Basel Convention illegal traffic take back provision (paragraph 2 of Article 9).

Parties, BCRCs and others are invited to submit comments on these three draft guidance documents to the Secretariat (Ms Juliette Voinov Kohler, juliette.kohler@unep.org) by 31 July 2013. Comments received will be posted on the Basel Convention website. For ease of reference, the report of the ninth meeting of the Committee is available at: <http://www.basel.int/TheConvention/ImplementationComplianceCommittee/MeetingsReports/tabid/2289/Default.aspx>. In addition, the working documents referenced in this letter and pertaining to the ninth meeting of the Committee are available at: <http://www.basel.int/TheConvention/ImplementationComplianceCommittee/Meetings/ICC9/MeetingDocuments/tabid/2872/Default.aspx>.

We look forward to receiving your comments.

Yours sincerely,



for Jim Willis
Executive Secretary

**Cc: Representatives of permanent missions to the United Nations Office at Geneva
Members of the Committee**