

BC-12/8: National legislation, notifications, enforcement of the Convention and efforts to combat illegal traffic

The Conference of the Parties

1. *Welcomes* the implementation and enforcement activities undertaken by the Secretariat¹ and encourages the Secretariat to further develop those activities;
2. *Also welcomes* the active engagement of enforcement organizations and networks in preventing and combating illegal traffic in hazardous wastes and other wastes and invites those organizations and networks to continue their collaboration with the Secretariat on activities aimed at assisting parties to prevent and combat illegal traffic;
3. *Urges* parties to fulfil their obligations set out in paragraph 4 of Article 4 and paragraph 5 of Article 9 of the Convention, including by updating or developing stringent legislation on the control of transboundary movements of hazardous wastes and by incorporating into their national legislation appropriate sanctions or penalties for illegal traffic in hazardous wastes and other wastes;
4. *Encourages* parties to continue to provide the Secretariat with the texts of national legislation and other measures adopted by them to implement and enforce the Convention;
5. *Invites* parties to share information, through the Secretariat, on best practices in preventing and combating illegal traffic and to report confirmed cases of illegal traffic to the Secretariat using the prescribed form for confirmed cases of illegal traffic;
6. *Also invites* parties that have not yet provided the Secretariat with any of the information on national definitions of hazardous wastes required under Article 3 and paragraph 2 (b) of Article 13 of the Convention, including national lists, as well as any of the information on import or export restrictions or prohibitions required under subparagraphs 1 (a) and 1 (b) of Article 4 of the Convention and subparagraphs 2 (c) and 2 (d) of Article 13 of the Convention to do so as soon as possible and to report any subsequent significant change in that information using the standardized reporting format;
7. *Requests* the Secretariat:
 - (a) To continue to maintain a collection of national legislation and other measures adopted by parties to implement the Convention, including measures or best practices for preventing and punishing illegal traffic, forms for reporting confirmed cases of illegal traffic, information on national definitions of hazardous wastes, including national lists, as well as information on import or export restrictions or prohibitions, and to continue to make that information available on the Convention website;
 - (b) To make information on national definitions of hazardous wastes, including national lists, as well as the information on import or export restrictions or prohibitions available in the six official languages of the United Nations, subject to the availability of resources;
 - (c) To provide parties, upon request, with information on matters pertaining to the implementation and enforcement of the Convention, including on the development and updating of national legislation or other measures, such as measures to protect themselves from unwanted imports of wastes, and assistance in the identification of cases of illegal traffic;
 - (d) To continue to cooperate with enforcement organizations and networks;
 - (e) To develop tools and organize enforcement training activities, subject to the availability of resources, in collaboration with the Basel Convention regional and coordinating centres, the secretariats of other relevant multilateral environmental agreements and other international organizations, agencies or programmes and to assist parties, particularly developing-country parties and parties with economies in transition, to develop national legislation and other measures to implement and enforce the Convention and to prevent and punish illegal traffic;

¹ UNEP/CHW.12/11.

8. *Takes note* of the analysis on possible synergies in preventing and combating illegal traffic and trade in hazardous chemicals and wastes, building on lessons learned under the Basel Convention,² and requests the Secretariat to transmit the analysis to the conferences of the parties to 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;

9. *Requests* the Secretariat to prepare, for the consideration of the Conference of the Parties at its thirteenth meeting, recommendations on possible synergies between the Basel, Rotterdam and Stockholm conventions in preventing and combating illegal traffic and trade in hazardous chemicals and wastes, building on lessons learned under the Basel Convention;

10. *Also requests* the Secretariat to report on the implementation of the present decision to the Conference of the Parties at its thirteenth meeting.

² See UNEP/CHW.12/INF/51.