

VI/3. Establishment and functioning of the Basel Convention Regional Centres for Training and Technology Transfer

The Conference of the Parties,

Recalling paragraph 17 of decision V/5 of the fifth meeting of the Conference of the Parties to the Basel Convention,

Taking note with appreciation of the result of the process of consultation undertaken by the secretariat with the host countries and the Regional Centres,

Welcoming the financial and/or support in kind provided by host Governments, donor countries, industry, United Nations and other relevant international organizations and bodies such as the United Nations Conference on Trade and Development, the World Health Organization and the United Nations Environment Programme for the functioning of these Centres,

1. Takes note of the conclusions and recommendations of the Consultative Meeting of the Basel Convention Regional Centres, held in Cairo, contained in annex 3 of the report of the Consultative Meeting, towards the establishment of the Basel Convention Regional Centres (see UNEP/CHW/WGI/1/5);
2. Adopts the core functions of the Basel Convention Regional Centres, as contained in appendix I to the present decision and the roles and functions of the Coordinating Centres, as contained in appendix II to the present decision;
3. Adopts the following core set of elements for inclusion in the Framework Agreement to be signed between the secretariat of the Basel Convention (on behalf of the Conference of the Parties) and the representative of the host countries' Governments:
 - (a) Identification of the Parties entering into the agreement;
 - (b) Overall purpose for entering into the agreement;
 - (c) Legislative authority on which the agreement is based;
 - (d) Official name and address of the Regional Centre;
 - (e) Legal status of the Centre (for example, separate national legal entity with a regional role or intergovernmental institution and authority under which the Centre was established and operates);
 - (f) Countries consenting to be served by the Centre;
 - (g) Management/governance arrangements (for example, national committee/body to mobilize and coordinate the national inputs into the Centre; steering committee attended by the representatives of the countries served by the Centre to determine the business plan of the Centre and oversee the plan's implementation; terms of reference of these bodies; rules and procedures governing the meetings organized by the Centre);
 - (h) The possible involvement of donors with respect to financial and technical assistance to support the Centre;

- (i) Effective cooperation and coordination with the secretariat of the Basel Convention and among the Regional Centres;
- (j) Reporting channels;
- (k) Contributions of host countries in kind, cash and services towards the operation of the Centre and, if possible, contributions of the countries served by the Centre;
- (l) Contributions from the Technical Cooperation Trust Fund to assist developing countries and other countries in need of technical assistance in the implementation of the Basel Convention and other voluntary contributions towards the financing of the core functions of the Centre and operational and other associated costs related to the core functions of the Centre;
- (m) Matching funds (contributions in cash, kind or services) to be raised by the Centre;
- (n) Working language(s) of the Centre;
- (o) Exemption by the host country from taxation and other levies on the resources (including equipment) provided from the funds under the control of the Contracting Parties according to its national legislation, whenever possible;
- (p) In the case of an intergovernmental institution, the terms and conditions of the 1946 Convention on the Privileges and Immunities of the United Nations shall apply as appropriate;
- (q) Reporting on substantive activities undertaken by the Centre and financial reporting on the funds raised by the Centre and the expenditures of the Centre to the secretariat of the Basel Convention;
- (r) Arrangements to settle any disputes between the signatories of the agreement;
- (s) Duration of the agreement;
- (t) Provisions for the periodic external review, extension, termination or amendment of the agreement; and
- (u) A business plan for the period 2003-2004 for the Regional Centre, approved by the countries served by the Centre, shall be prepared before the signature of the Framework Agreement.

4. Endorses the mechanism of establishing the Basel Convention Regional Centres by signing the Framework Agreement;

5. Mandates the secretariat of the Basel Convention to negotiate and sign in the name of the Conference of the Parties, the Framework Agreement with the representative of the Government of the country hosting or willing to host the Centre and with whom consultations have been completed by the secretariat and selected by the Conference of the Parties and, where necessary, with the regional or international organizations which will perform the functions of the Basel Convention Regional Centres. The negotiation and signature of the Framework Agreement shall be completed without delay in order to formalize the establishment of the Centres approved by the Conference of the Parties.

6. Requests the secretariat to submit the concluded Framework Agreements to the Conference of the Parties at its seventh meeting;

7. Endorses the role of the Basel Convention Regional Centres in carrying out the implementation of the Basel Declaration and the priority actions of the strategic plan for the implementation of the Basel Convention, using contributions from the Trust Fund for the Basel Convention, as agreed periodically by the Conference of the Parties;

8. Requests the secretariat to prepare, based on the reports received from the Centres, a document on the implementation of the present decision and progress and difficulties encountered in the activities of the Centres, to be presented to the Conference of the Parties at its seventh meeting with a view to assessing the adequacy of the arrangements for the functioning of the Centres, including financial mechanisms;

9. Urges all Parties and non-parties in a position to do so, as well as international organizations, including development banks, non-governmental organizations and the private sector, to make financial contributions directly to the Technical Cooperation Trust Fund or in kind contributions, or contributions on a bilateral level, to allow all the Centres to become fully operational;

10. Requests the secretariat to explore, in collaboration with the Regional Centres, possibilities for the establishment of partnerships with industry and other stakeholders in the work of the Regional Centres in order to ensure the long-term sustainability of their operation;

11. Requests the secretariat to establish, pursue and reinforce its closer collaboration with relevant United Nations and other international and regional agencies and conventions in the work of the Regional Centres, in particular with the United Nations Environment Programme offices and programmes, including its Division of Technology, Industry and Economics, International Environmental Technology Centre, Global Programme of Action for the Protection of the Marine Environment from Land-based Activities, National Cleaner Production Centres, and Chemicals Branch, the United Nations Industrial Development Organization, the United Nations Institute for Training and Research, the World Health Organization, the Food and Agriculture Organization of the United Nations, the United Nations regional economic commissions, the World Customs Organization, the International Criminal Police Organization – Interpol General Secretariat, the secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, the Ozone Secretariat and the regional organizations for the protection of the marine environment, to explore new areas of cooperation.

Appendix I

CORE FUNCTIONS OF THE BASEL CONVENTION REGIONAL CENTRES

The role of the Centres is to assist developing countries and countries with economies in transition, within their own region, through capacity-building for environmentally sound management, to achieve the fulfilment of the objectives of the Convention.

The description of the core functions of the Centres is as follows:

1. Training;
2. Technology transfer;
3. Information;
4. Consulting;
5. Awareness-raising.

The explanations of the core functions of the Centres are as follows:

- (a) Developing and conducting training programmes, workshops, seminars and associated projects in the field of the environmentally sound management of hazardous wastes, transfer of environmentally sound technology and minimization of the generation of hazardous wastes, with specific emphasis on training of trainers and the promotion of ratification and implementation of the Convention and its instruments;
- (b) Identifying, developing and strengthening mechanisms for the transfer of technology in the field of environmentally sound management of hazardous wastes or their minimization in the region;
- (c) Gathering, assessing and disseminating information in the field of hazardous wastes and other wastes to Parties of the region and to the secretariat;
- (d) Collecting information on new or proven environmentally sound technologies and know-how relating to environmentally sound management and minimization of the generation of hazardous wastes and other wastes and disseminating these to Parties of the region at their request;
- (e) Establishing and maintaining regular exchange of information relevant to the provisions of the Basel Convention, and networking at the national and regional levels;
- (f) Organizing meetings, symposiums and missions in the field, useful for carrying out these objectives in the region;
- (g) Providing assistance and advice to the Parties and non-parties of the region at their request, on matters relevant to the environmentally sound management or minimization of hazardous wastes, the implementation of the provisions of the Basel Convention and other related matters;
- (h) Promoting public awareness;
- (i) Encouraging the best approaches, practices and methodologies for environmentally sound management and minimization of the generation of hazardous wastes and other wastes, for example, through case studies and pilot projects;

(j) Cooperating with the United Nations and its bodies, in particular the United Nations Environment Programme and the specialized agencies, and with other relevant intergovernmental organizations, industry and non-governmental organizations, and, where appropriate, with any other institution, in order to coordinate activities and develop and implement joint projects related to the provisions of the Basel Convention and develop synergies where appropriate with other multilateral environmental agreements;

(k) Developing, within the general financial strategy approved by the Parties, the Centres' own strategy for financial sustainability;

(l) Cooperating in mobilization of human, financial and material means in order to meet the urgent needs at the request of the Party(ies) of the region faced with incidents or accidents which cannot be solved with the means of the individual Party(ies) concerned;

(m) Performing any other functions assigned to it by the decisions of the Conference of the Parties of the Basel Convention or by Parties of the region consistent with such decisions.

Appendix II

ROLES AND FUNCTIONS OF THE COORDINATING CENTRES OF THE BASEL CONVENTION IN ADDITION TO THE CORE FUNCTIONS OF THE BASEL CONVENTION REGIONAL CENTRES CONTAINED IN APPENDIX I

1. Ensuring interaction, including exchange of information, between the secretariat of the Basel Convention and the Regional Centres, among the subregional centres, Parties and other related institutions;
2. Conveying regional consultation to identify priorities and formulate strategies;
3. Supporting and coordinating common tasks of the subregional centres in the field of policies, information, communication, technical and financial assessment;
4. Defining and executing programmes of regional scope in coordination with the subregional centres;
5. Identifying, promoting and strengthening the synergies and mechanisms of cooperation among the subregional centres and other stakeholders in environmentally sound management and the minimization of generation of hazardous waste and technology transfer in and outside the region;
6. Keeping a compilation system for information and making such information accessible to stakeholders.