

## BASEL CONVENTION

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Secretariat of the Basel Convention  
United Nations Environment Programme  
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Geneva, 7 March 2017

**Subject: Reporting under article 13 paragraph 3 of the Basel Convention - Consultations under paragraph 9 (c) of the terms of reference of the Mechanism for promoting implementation and compliance of the Basel Convention**

Dear Sir or Madam,

I am writing to you in relation to article 13 paragraph 3 of the Basel Convention that requires Parties, consistent with national laws and regulations, to transmit, through the Secretariat, to the Conference of the Parties, before the end of each calendar year, a report on the previous calendar year containing information on the implementation, by each Party, of several provisions of the Convention. I am also writing to you in relation to paragraph 9 (c) of the terms of reference of the Mechanism for promoting implementation and compliance of the Basel Convention, which specifies that the Secretariat may make a submission to the Committee administering this mechanism (hereafter the 'Committee') "if, while acting pursuant to its functions under articles 13 and 16, it becomes aware of possible difficulties of any Party in complying with its obligations under paragraph 1 of Article 3, paragraph 1 of Article 4, Article 5 and paragraphs 2 and 3 of Article 13 of the Convention, provided that the matter has not been resolved within three months by consultation with the Party concerned".

During its twelfth meeting, the Conference of the Parties to the Basel Convention has underlined the importance of Parties' reporting obligation in its decision BC-12/7, including by:

- Noting with concern that the national reporting targets for the years 2011 and 2012 approved by the Conference of the Parties at its eleventh meeting have not been met;
- Also noting with concern that, as at 21 November 2014, 89 parties had not submitted their reports for the year 2011 and 97 parties had not submitted their reports for the year 2012;
- Acknowledging that the problem of non-reporting, incomplete reporting or late reporting is serious because of the close link between the core obligations of the Convention and the obligation to submit national reports in accordance with paragraph 3 of Article 13 of the Convention;
- Taking note that in 2011, 6 per cent of the parties submitted reports on time and 0.5 per cent of the parties submitted complete reports and that in 2012 6 per cent of the parties submitted reports on time and 5 per cent of the parties submitted complete reports;

To: Parties that have not transmitted a national report since 2009

- Setting, as a way of measuring progress in the overall implementation of and compliance with paragraph 3 of Article 13 of the Convention, the following interim targets: 30 per cent of reports due for 2013 and for subsequent years are submitted on time and 20 per cent of reports due for 2013 and for subsequent years are submitted complete; and
- Urging Parties to submit their reports complete and on time.

Timely and accurate reporting by Parties offers indeed critical information on the level of implementation of the Convention. Reporting, or lack thereof, may thus provide insights on the difficulties faced by Parties in implementing and complying with their commitments under the Convention. The information reported by Parties may also prove to be a useful indicator of the effectiveness of the Convention.

The Committee, during its twelfth meeting held in June 2016 in Nairobi, encouraged the Secretariat, subject to the availability of resources, to consider initiating consultations with Parties that have not submitted a report since 2009 so as to determine whether they are facing possible difficulties in complying with the national reporting obligation and with a view to resolving the matter within three months by consultation with the Party concerned.

In line with the Secretariat's mandate under paragraph 9 (c) of the terms of reference of the Committee and as a follow up to the encouragement by the Committee during its twelfth meeting, the Secretariat respectfully brings the following to your attention.

Our records indicate that, as of today, your country is among the Parties that have not transmitted to the Secretariat a national report since 2009. The Secretariat is thus hereby initiating consultations with your country in an attempt to resolve this matter within three months, in accordance with the terms of reference of the Committee. In this context, the Secretariat would like to invite your country to offer its cooperation on the following matters by:

- Verifying the accuracy of the information held by the Secretariat;
- In case this information is accurate, indicating by **15 June 2017**, the reason for the non-submission of the national reports. In case this is due to difficulties faced by your country in complying with its reporting obligation, the Secretariat would be grateful if your country could fill and return the attached form that seeks to identify, as precisely as possible, the nature of these difficulties and how best these might be addressed. This information would help the Secretariat evaluate whether it is in a position to provide further assistance. In the event of a subsequent submission to the Committee, this information could also assist this body in determining the root causes of the matter and assist in its resolution.
- In case this information is accurate, and if this is indeed possible, sending by **15 June 2017**, at least the missing national report for 2015 (which was due by 31 December 2016).

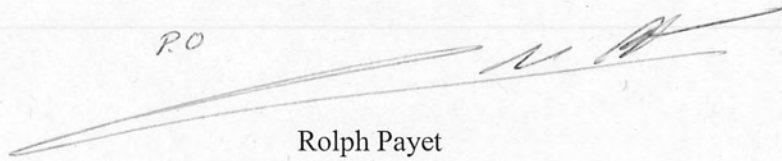
- In case this information is inaccurate, informing the Secretariat of the dates upon which the questionnaires have been sent to the Secretariat and attaching these questionnaires once more.

I invite you to address all correspondence relating to this matter to the Secretariat's Legal and Policy Advisor, Ms. Juliette Voinov Kohler: [juliette.kohler@brsmeas.org](mailto:juliette.kohler@brsmeas.org).

I sincerely hope we will be able to resolve this matter by **15 June 2017** and thank you in advance for your kind cooperation.

Yours sincerely,

*RO*

A handwritten signature in dark ink, appearing to be 'R. Payet', written over a horizontal line.

Rolph Payet  
Executive Secretary