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**Basel Convention on the Control of
Transboundary Movements of
Hazardous Wastes and their Disposal**

Distr.: General
30 October 2007

English only



**Rotterdam Convention on the Prior
Informed Consent Procedure for
Certain Hazardous Chemicals and
Pesticides in International Trade**



**Stockholm Convention on
Persistent Organic Pollutants**

**Ad hoc joint working group on enhancing cooperation and
coordination among the Basel, Rotterdam and Stockholm conventions**

Second meeting

Vienna, 10–13 December 2007

Item 3 of the provisional agenda*

**Consideration of the intersessional work undertaken by the
members of the ad hoc joint working group and by the
Secretariats of the Basel, Rotterdam and Stockholm Convention**

**Reporting obligations under the Basel, Rotterdam and Stockholm
Conventions**

Note by the secretariats

Attached is the thought starter on “Reporting obligations under the Basel, Rotterdam and Stockholm Conventions” prepared by the Secretariats for consideration by the meeting. It is presented as received and has not been formally edited.

* UNEP/FAO/CHW/RC/POPS/JWG.2/1.

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Thought Starter: Reporting obligations under the Basel, Rotterdam and Stockholm Conventions

Lead: Secretariats

Scope as stated by AHJWG 1: Analyse commonalities of reporting content, format and timing, noting lessons learned in the reporting process.

I. Introduction

1. Regular reporting by Parties is a common feature of multilateral environmental agreements. Under the Basel and Stockholm conventions Parties are required to provide regular reports on their actions taken to implement the obligations under each Convention, however although the Rotterdam Convention focuses on information exchange it does not contain such a specific obligation on reporting.

II. Scope of the obligations under the Basel and Stockholm Conventions

2. Pursuant to paragraph 3 of Article 13 of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, Parties, consistent with national laws and regulations, shall 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 listed under paragraph 3 of Article 13.

3. Paragraph 1 of Article 15 of the Stockholm Convention on Persistent Organic Pollutants requires each Party to report to the Conference of the Parties on the measures it has taken to implement the provisions of the Convention and on the effectiveness of such measures in meeting the objectives of the Convention. Paragraph 2 of the article sets out the information to be reported, and paragraph 3 stipulates that reporting must be carried out at periodic intervals and in a format to be decided by the Conference of the Parties at its first meeting.

4. An overview of the reporting obligations under the Basel and Stockholm conventions is set forth in annex I to the present note.

III. Current status

5. Reporting under the Basel Convention has been taking place since 1993, and in light of experiences gained and lessons learnt, the reporting format and process have been refined over time. On the other hand the Stockholm Convention is a younger convention, and a consequence, the design of the format and the electronic system for reporting as well as the process followed have greatly benefited from the experiences and lessons learned of the Basel Convention as well as that of other multilateral environmental agreements.

6. A table outlining the current status of reporting as well as the processes followed by the secretariats of the Basel and Stockholm conventions with regard to the respective reporting obligations under each convention is set forth in annex II to the present note.

(a) Lessons learned

7. Below is a list of some of the lessons learned by the Secretariats during the reporting process:
- It is essential to ensure that a mechanism is in place at the national level for systematic data and information collection and processing;
 - It is necessary to have a well established procedure and process within the Secretariat to carry out its functions related to national reporting as requested by Parties;
 - Quality control exercise has led to the identification of some data errors/inconsistencies, which in turn has assisted some Parties in correcting their datasets as well as amending their data collection and processing methods in order to reduce the occurrence of such data errors/inconsistencies;

- Handbooks and manuals with clear instructions can facilitate the reporting process at the national level;
- It is important that the format allows for the comparability of data among the different Parties;
- In the case of the Basel Convention there is a need to address the issue of un-comparable data on the transboundary movements of hazardous wastes and other wastes with a view to finding possible solutions to overcoming this difficulty faced by Parties.
- Making small adjustments to the format for reporting, based on the feed-back received from Parties, can facilitate the reporting process in the future.
- Training and capacity –building to enable Parties to comply with their reporting obligations

(b) Costs

8. In the case of the Secretariat of the Basel Convention national reporting functions are carried out by a Program Officer (P-3). Some of the functions necessary for the maintenance of the information system are subcontracted externally, while the Computer systems officer (P-2) provides programming assistance as the need arises

9. In the Stockholm Convention Secretariat, the follow up to the reporting obligation is carried out by a Programme Officer P-4, with 10 percent of the staff time being allocated to this function. Following a request from the Conference of the Parties, an electronic reporting system has been developed and is currently maintained by the Secretariat IT staff. Additional costs are incurred when a Party does not use the on-line electronic reporting system and submits its report in hard copy.

IV. Conclusions

10. In general terms, reporting provisions under both conventions aim at providing information relevant to, inter alia, assessing the progress achieved towards meeting the objectives of the Convention and identifying the needs of Parties in order to fulfil their obligations. Under both conventions, failure to report could imply non-compliance.

11. The reporting requirements, reporting form, interval and procedure for national reports under the two Conventions vary. Each convention has different timing and approaches in the design of its formats, and the type of information required, as well as the level of specificity of information. Thus making it difficult to compare or to merge the formats or the information provided under each convention, since they reflect the different objectives of both conventions and have different uses.

12. The role played by each secretariat in the management of the information differs too. The Basel Convention secretariat has taken an active role in establishing a system which allows for systematic collection, follow-up and quality control, including identification of inconsistencies in the annually reported data on transboundary movements of hazardous wastes. While in the Stockholm Convention the secretariat does not undertake a verification process for the information received and the process is mainly undertaken by Parties, the role of the secretariat is limited to collating and analysing the information received on a periodical basis, every four years.

13. The databases used by each secretariat are different and reflect the different mandates under each convention. In the case of the Basel convention the database reflects the long experience the secretariat has in dealing with such an obligation, where as in the case of the Stockholm Convention the database is new and is being tested with the first cycle of national reports due in December 2006. In addition it has been designed as an integral part of the clearing-house mechanism called for under Article 9 of the Convention, and has relied on the experience gained by the secretariats of other multilateral environmental agreements.

14. Although several differences have been highlighted among the reporting obligations, formats, secretariat mandates and approaches at the global level, the situation at the national level may well differ and may benefit from enhanced coordination and communication among those responsible to provide the national reports. A better understanding of the use given to the information provided might facilitate and the process at the national level by avoiding duplication of efforts and ensuring consistency in the information provided at that level.

15. Awareness raising and training at the national level of the officers in charge of filling in the relevant reports under each Convention would facilitate the collection of information at the national level for future reporting sessions.

Annex I. Reporting obligations under the Basel and Stockholm Conventions

ISSUE	BASEL CONVENTION	STOCKHOLM CONVENTION
Mandate	Article 13(3)	Article 15
Frequency	Annual	Once every 4 years
Scope	<p>Article 13, paragraph 3 provides: “The Parties, consistent with national laws and regulations, shall transmit, through the Secretariat, to the Conference of the Parties established under Article 15, before the end of each calendar year, a report on the previous calendar year, containing the following information:</p> <p>(a) Competent authorities and focal points that have been designated by them pursuant to Article 5;</p> <p>(b) information regarding transboundary movements of hazardous wastes or other wastes in which they have been involved, including:</p> <p>(i) The amount of hazardous wastes and other wastes exported, their category, characteristics, destination, any transit country and disposal method as stated on the response to notification;</p> <p>(ii) The amount of hazardous wastes and other wastes imported, their category, characteristics, origin, and disposal methods;</p> <p>(iii) Disposal which did not proceed as intended;</p> <p>(iv) Efforts to achieve a reduction of the amount of hazardous wastes or other wastes subject to transboundary movement;</p> <p>(c) Information on the measures adopted by them in implementation of this Convention;</p> <p>(d) Information on available qualified statistics which have been compiled by them on the effects on human health and the environment of the generation, transportation and disposal of hazardous wastes or other wastes;</p> <p>(e) Information concerning bilateral, multilateral and regional agreements and arrangements entered into pursuant to Article 11 if this Convention;</p> <p>(f) Information on accidents occurring during the transboundary movement and disposal of hazardous wastes and other wastes and on the measures undertaken to deal with them;</p> <p>(g) Information on disposal options operated within the area of their national jurisdiction;</p> <p>(h) Information on measures undertaken for development of technologies for the reduction and/or elimination of production of hazardous wastes and other wastes; and</p>	<p>Article 15 on reporting provides</p> <p>“1. Each Party shall report to the Conference of the Parties on the measures it has taken to implement the provisions of this Convention and on the effectiveness of such measures in meeting the objectives of the Convention.</p> <p>2. Each Party shall provide to the Secretariat:</p> <p>(a) Statistical data on its total quantities of production, import and export of each of the chemicals listed in Annex A and Annex B or a reasonable estimate of such data; and</p> <p>(b) To the extent practicable, a list of the States from which it has imported each such substance and the States to which it has exported each such substance.</p> <p>3. Such reporting shall be at periodic intervals and in a format to be decided by the Conference of the Parties at its first meeting.</p>

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	(i) such other matters as the Conference of the Parties shall deem relevant.”	
Format	<p>COP6 adopted format and a manual to assist Parties to fulfill their reporting obligation.</p> <p>The questionnaire has two Parts.</p> <p><u>Part I: status of information</u> – Contains information which remains more or less the same year after year. It includes information on wastes controlled for the purpose of transboundary movements; restrictions on transboundary movements of hazardous wastes and other wastes; control procedure; reduction and/or elimination of the generation of hazardous wastes and other wastes; reduction of the amount of hazardous wastes and other wastes subject to the transboundary movement; effects on human health and the environment; Bilateral, Multilateral or regional agreements or arrangements; disposal facilities; recovery facilities and; sources of technical and financial assistance.</p> <p><u>Part II: annual reporting</u> which includes data on generation and transboundary movements of hazardous wastes and other wastes; and information on disposals which did not proceed as intended and accidents occurring during the transboundary movement and disposal of hazardous wastes and other wastes.</p> <p>The manual is available in all six United Nations languages. Both the revised questionnaire and the manual are posted on the Basel Convention website (http://www.basel.int/natreporting/index.html).</p>	<p>COP 1 adopted a format for reporting which is available in the 6 UN official languages as part of the electronic system for reporting under the Convention at the Convention’s home page: www.pops.int .</p> <p>The questionnaire has three parts:</p> <p>Part A: requires the respondent to provide general information on the reporting Party;</p> <p>Part B: requires the respondent to provide information on the measures taken by the Party to implement the relevant provisions of the Stockholm Convention and on the effectiveness of such measures in meeting the objectives of the Convention.</p> <p>Part C: requires the respondent to provide information on progress made on eliminating polychlorinated biphenyls pursuant to paragraph (g) of part II of Annex A of the Stockholm Convention.</p> <p>In response to decision SC-3/8 the secretariat is developing a user’s manual for the electronic system for reporting, which is expected to be available by the end of November 2007.</p>

Annex II. Current status

ISSUE	BASEL CONVENTION	STOCKHOLM CONVENTION
Status of reporting	<p><u>As at 10/10/07:</u> 108 Parties reported for the year 2001. 98 Parties reported for the year 2002. 104 Parties reported for the year 2003. 101 Parties reported for the year 2004. 93 Parties reported for the year 2005. Currently reports for the year 2006 are being collected.</p>	<p><u>As at 25 October 2007:</u> 34 Parties had submitted their first national reports ¹ for the period between the entry into force of the Convention, 17 May 2004 and 31 December 2006. The COP 3 extended the deadline for submission of national reports to 31 July 2007, thus reports are still being collected by the Secretariat.</p>
Process	<p>In Fall of each year, the Secretariat posts pre-filled questionnaires on its website (http://www.basel.int/natreporting/index.html) and sends a letter by e-mail to parties requesting them to transmit their completed questionnaire, pursuant to article 13(3). In the absence of an e-mail address, hard copies of the letters are sent with the questionnaires.</p> <p>The Secretariat sends a first reminder in winter and, if a response is still not forthcoming, a second reminder is sent in Spring to those Parties that did not meet the deadline. The interval between the two reminders is approximately 6-8 weeks.</p> <p>The Secretariat generally concludes the collection process in the Summer following the expiration of the deadline but, to make the compilations as comprehensive as possible, takes into account the data reported by Parties until autumn.</p>	<p>In accordance with decision SC-1/22 Parties are invited to submit their national report pursuant to Article 15 every 4 years, using the electronic system for reporting available at the Convention's web page: www.pops.int.</p> <p>Each Party to the Convention has been assigned two individual accounts and passwords in order to access the electronic system for reporting.</p> <p>The first account is intended for the exclusive use of the official contact point and allows her or him to coordinate the data collection at the national level, certify the electronic submission and submit the report to the Secretariat officially.</p> <p>The second account is intended for the use of technical staff at responsible at the national level for providing the different data required from each Party.</p> <p>This user is not permitted by the system to submit the report officially.</p> <p>The</p>
Database	<p><u>The reporting database of the Basel Convention:</u> The database is designed to manage, process and retrieve the data and information reported by Parties.</p> <p>The online version of the Reporting Database (http://www.basel.int/natreporting/questables/frsetmain.html), which is developed by the Secretariat, currently allows users to access information contained in Part I (Questions 2-7; Tables 1-5) and Part II, Section B (Tables 9-10) of the revised questionnaire on "transmission of information".</p> <p>The Secretariat is currently developing the section of the online version of the Reporting database, which would be providing access to data on the generation and transboundary</p>	<p>The electronic system for reporting has a database designed to manage the information which is collected in the six official UN languages and assist the Secretariat in the process analyzing the information and compiling its periodic report pursuant to Article 20 of the Convention.</p> <p>The electronic system is being tested with the first process of reporting by Parties.</p>

¹ Six additional Parties have been requested to re-submit their national reports through the official channels.

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	<p>movements of hazardous wastes and other wastes, contained in the Part II, Section A (Tables 6-7, 8A and 8B) of the questionnaire. It is expected to become available by December 2007.</p>	
<p>Steps taken by the Secretariat with the aim of facilitating reporting by Parties</p>	<p>Further to decision V/14 of COP5, the format and contents of the questionnaire was simplified and streamlined. The revised questionnaire and the manual were adopted by COP6 (decision VI/27). Pre-filled questionnaires, prepared by the Secretariat are posted on the Convention’s website: http://www.basel.int/natreporting/index.html, which is a password protected section of the website.</p> <p>To address the lack of inventories on hazardous wastes and to provide training to Parties that are in need of assistance to meet their reporting obligations, the Secretariat has organized several workshops with the assistance of the Basel Convention regional Centres.</p>	<p>The Secretariat has been requested by decision SC-3/18 to:</p> <ul style="list-style-type: none"> • develop a user’s manual for the electronic system for reporting in to distribute it widely in order to facilitate the process of reporting; • provide training, upon request and subject to the availability of funds, to enable Parties to use the electronic system for reporting; • Make non-substantive modifications to the reporting forms in order to make the electronic system more user friendly, including by enhancing its flexibility.
<p>Quality control</p>	<p>Main items:</p> <p>(i) <u>National definition</u>: Response to question 2c² - if a Party has responded “yes”, SBC verifies whether that Party has transmitted notification to it, pursuant to article 3 of BC. If not, invites the Party to transmit such notification; seeks clarification, if required and; follow-up.</p> <p>(ii) <u>Import prohibition</u>: Response to question 3d, 3e and 3f³ - if a Party has responded “yes”, SBC verifies whether that Party has transmitted notification to it, pursuant to article 13(2)(c) and / or article 4 (1) of BC. If not, invites the Party to transmit such notification seeks clarification, if</p>	<p>There is no process of quality control undertaken by the Secretariat on each individual report however Article 16 of the Convention establishes a mechanism to undertake the effectiveness of the convention at the global level.</p>

² Question 2c (Of Part I of the questionnaire: Does your country regulate/control any additional wastes as hazardous that are not included in art. 1(1) a of the Basel Convention and would be controlled for the purpose of transboundary movements pursuant to art. 1(1) b)?

³ Question 3d (Of Part I of the questionnaire: Are there any restrictions on the import of hazardous wastes and other wastes for final disposal (Annex IV A) in your country?
Question 3e: Are there any restrictions on the import of hazardous wastes and other wastes for recovery (Annex IV B) in your country?
Question 3f: Are there any restrictions on the transit of hazardous wastes and other wastes through your country?

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	<p>required; follow-up.</p> <p>(iii) <u>Table 14:</u> Information provided under Table 1 is verified to confirm as to whether or not it is in accordance with article 11 requirement.</p> <p>(iv) <u>Table 65:</u> data verification (a) Are there any ‘unspecified’ wastes reported? (b) Are they Basel wastes – wastes with Y-code(s) and /or Annex VIII code(s)? (c) Are they art. 1(1)b wastes? If they are art. 1(1) b wastes, whether that Party has transmitted notification pursuant to article 3? (d) Is there a need to prepare ‘end notes’ for certain export entries? (e) Should certain export entries be ‘excluded’ with explanatory notes? (f) Is the ‘exported amount’ in metric tons? (g) Is there a significant increase/decrease in the exported amount compared to the previous year(s) exported amount? (h) if yes, verify and prepare explanatory note, as appropriate (i) Does the ‘exported amount’ is supplemented with ‘country of destination’, ‘Final disposal’ and ‘recovery operation’ codes? (j) In certain cases, verify whether an article 11 agreement exists for the reported export of waste? (k) Y-codes and/or Annex VIII code(s), D code(s), R code(s) assigned to an exported waste is appropriate?</p> <p>(v) <u>Table 76:</u> same as under Table 6</p> <p>(vi) <u>Tables 8A and 8B7:</u> (a) Is there a significant increase/decrease in the ‘generation’ amount compared to the previous year(s) reported amount? (b) If yes, verify and prepare explanatory note, as appropriate (c) Is the reported amount ‘complete’? If required, verify and prepare footnotes and /or explanatory note, as appropriate (d) Amounts provided in Tables 8A and 8B are compatible and comparable?</p> <p><u>Comparable data:</u> One of the issues highlighted by the quality</p>	

⁴ Table 1: Bilateral, multilateral or regional agreements or arrangements in force
⁵ Table 6: Export of hazardous wastes and other wastes
⁶ Table 7: Import of hazardous wastes and other wastes
⁷ Table 8A: Total amount of generation of hazardous wastes and other wastes
Table 8B: Generation of hazardous wastes and other wastes by Y-categories

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	<p>control exercise is comparability of the data reported by Parties on the transboundary movements of hazardous wastes and other wastes. By decision VIII/14, the Conference of the Parties to the Basel Convention, at its eighth meeting (Nairobi, 27 November – 1 December 2006), has requested the Secretariat to assist Parties to improve the comparability of their data on the transboundary movements of hazardous wastes and other wastes. Accordingly, as a first step towards this end, the Secretariat has compared the reported export and import data, reported for the year 2004, and has identified cases where differences exist in the reported export/import amounts. Starting from November 2007, the Secretariat will be informing the concerned Parties of these differences in reporting with the aim of better understanding of the reasons for these differences and possible ways of overcoming these differences.</p>	
<p>Dissemination of information</p>	<p>The following on-line documents are prepared by the Secretariat based on National reporting: <u>Compilation Part I:</u> contains information on wastes controlled for the purpose of transboundary movements; restrictions on transboundary movements of hazardous wastes and other wastes; control procedures for the transboundary movements of wastes; reduction and /or elimination of the generation of hazardous wastes and other wastes; reduction of the amount of hazardous wastes and other wastes subject to transboundary movements; effects on human health and the environment; bilateral, multilateral or regional agreements or arrangements; disposal and recovery facilities and; sources of technical and financial assistance. <u>Compilation Part II:</u> Includes summary and graphic representation of the data on generation and transboundary movements of hazardous wastes and other wastes; information on disposals, which did not proceed as intended; and accidents occurring during the transboundary movements and disposal. <u>Country fact sheets:</u> The contents of the Country fact sheets are generally the same as the Compilation Part I but the information is more current as their contents are updated to provide the latest information made available by Parties. Each country fact sheet also provides the concerned Party’s contact</p>	<p>Pursuant to Article 20, paragraph (d) the Secretariat prepares and makes available to Parties periodic reports based on information received pursuant to Article 15 and other available information. In addition national reports under Article 15 are taken into account when undertaking the effectiveness evaluation of the Convention pursuant to Article 16. All information is posted on the Convention’s web site and is available through the clearing-house-mechanism under Article 9.</p>

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	address for the competent authority and the focal point, as well as status of ratification/acceptance of the Amendment to the Basel Convention. In addition, periodically GRID brings out ‘Vital waste graphics’.	
